

HUDSON, NH BOARD OF SELECTMEN
Minutes of the January 6, 2015 Meeting

1. CALL TO ORDER - by Chairman Coutu the meeting of January 6, 2015 at 7:00 p.m. in the Selectmen's Meeting Room at Town Hall.
2. PLEDGE OF ALLEGIANCE - led by Chief Rob Buxton.
3. ATTENDANCE
Board of Selectmen: Roger Coutu, Rick Maddox, Pat Nichols, Nancy Brucker
Absent: Ben Nadeau
Staff/Others: Steve Malizia, Town Administrator; Fire Chief Rob Buxton
4. DISCUSSION ITEMS
 - A. Interview Realtors for sale of Town owned property

Chairman Coutu noted that you have received in your packet material that has been provided to us by the Town Administrator. Some of this material that was provided is material as a refresher to what we had originally in our packet. We had moved all of this over to tonight's meeting at the workshop so that we could do due diligence to the information that was provided us. Mr. Malizia if you want to elaborate a little further about what we have in our packet and what perhaps the procedure should be.

Steve Malizia stated well seeing you're doing interviews, what I took the liberty of doing was carrying some interview questions so that if you wanted to ask, you could be consistent and get some basic information and maybe a little bit more information from the four realtors that you selected. Basically the simple package is the cover memo, the real estate questions, the original bid tabulation that the Town Clerk put together when she opened the bids (It basically has information about the realtors.), along with another worksheet that just kind of took the same information and tried to put it into a spreadsheet. I've also included a list of the 18 properties that we're discussing at this point in time. That's a little further into the packet just so you have some sort of remembrance of the packet and along with the original request for proposal. It's pretty simple. What I'd recommend is individually interview each of the realtors, ask whatever questions you want. These are certainly only a guideline. It's not intended to be everything just I thought there was some pertinent questions and after that it's your decision. If you'd like to make a decision tonight or you want to give it some thought and make a decision at a subsequent meeting. Given that it's 10 degrees out and it's January, you're probably not going to sell a lot of these next week.

Chairman Coutu said we've eliminated the bottom one on the front sheet. Of the four remaining, I have but one question. The first two is the same agency - Berkshire Hathaway. Mr. Malizia said there appears to be two different agents at two different offices. Chairman Coutu asked if it was the same company. Ms. Verani indicated it's the same company. We're both here. Chairman Coutu asked if there were any questions. Are you all familiar with the information that was provided? Are there any questions at this time? If not, we'll move on. I think that what we'll do is because I have a list in front of me - this was the same document that was presented to use in the prior meeting. We're going to take them in the order that they're listed. I guess that would be the fair way. It's as subjective as anything else we can do.

- Norm Pelletier of Berkshire Hathaway, Nashua, NH

Norm Pelletier from Berkshire Hathaway Home Services. You received my package. It would probably be best if you had questions or if you just wanted me to...Chairman Coutu said why don't we do that. I'm going to ask so that we don't get too repetitive that the other real estate representatives here are going to be asked I guess primarily the same questions as well as what any other member of the Board would like to ask. Chairman Coutu asked the following questions:

How long have you been a licensed real estate agent? Mr. Pelletier stated a little over 8 years.

Are you or your agency a member of the MLS Listing? Mr. Pelletier said yes.

Are you aware of any conflict of interest that you may have with any of these properties? Mr. Pelletier said no.

In the past two years, how many residential land listing sales have you been the listing agent on? Mr. Pelletier was hesitant on answering. When I do that, you know it's more than one right? I would say about 15 or 20.

Selectman Maddox asked for clarification then. I thought it meant residential land listings. Just what I'm trying to offer not houses for sales but land in a residential setting. Chairman Coutu said that's the question I asked. Just land. Mr. Pelletier said well then you have to go to a development. So right now I'm actually involved in about 30 lots which a good part of those are in Hudson and we've sold 6 of those at Senter Farms.

Chairman Coutu noted so you've sold 6 so you've been sales listings and sales you'd say 6. Norm Pelletier said what we do over there is we list the lot and we also list them with a house on it. So far the ones that have sold, a couple have bought their own lot but we built the house also and some are sold with the house.

Chairman Coutu asked do you have a marketing plan or a strategy for the properties that we've listed. Mr. Pelletier said yes I do. Chairman Coutu asked are we asking for specifics. Mr. Malizia said you can certainly ask. Chairman Coutu asked do you want to give us a general overview. First of all as you know, Mr. Pelletier said they go to the MLS number one. Number two what I do is I sent out postcards on the computer to other real estate agents. I'd say 90 to 95 percent of properties - land and houses sell as a rule with another realtor involved. So I think it's very important that they all know about the lots. I also send the postcards to realtors in Massachusetts other than New Hampshire. I know an awful lot of builders. Of course I'll contact all the builders that I do know. The signage on all the lots I think is a plus because the way we put them up you can see them year round no matter the snow or there isn't snow. I normally do not use a newspaper but in this case I may put an ad once in the Litchfield/Hudson News listing all the lots. Like I said as a rule without being too repetitious, it's going to go through realtors. So you want to put your efforts towards other people that do the same thing that you do which is selling the land and lots.

Chairman Coutu said that was a good overview. Are you asking for an exclusive listing on these properties? Mr. Pelletier said exclusive yes. Chairman Coutu asked for how long. Mr. Pelletier asked for two years. I would take one year but I think sometimes what happens a lot of times if you take a listing for so many lots for a shorter amount of time, you don't always get the amount of money that you'd like to get for your customer. If you get a little more time to do it sometimes it helps and sometimes it doesn't. The minimum of a year but hopefully two years.

Chairman Coutu stated I'm just going to throw this and it's not a prepared question. If we were to develop a plan - and I'm throwing this out for all of the real estate agents - if we were to develop a plan that would allow for a contingency that if after a certain given period of time - I'm thinking more in the 6 month to 1 year range - and you're having no success, I should say let's be on the positive side that if after 6 months or a year you were to meet a certain criteria whether it's a percentage of land or a success on selling 1 or 2 parcels and we have people talking to you on others, we would be willing to extend it out. Would you agree to a contingency of that nature? Norm Pelletier said it depends on what you would expect out of me. For example, the 15 lots what percentage would you want sold or at least under agreement before you gave the extension so I'd have some kind of idea in my mind what to think of. I think it definitely could work. Chairman Coutu wanted to know if you and your agency are hard and fast on the 1 or 2 year but we'll look at that. Obviously its two parties that are involved in the discussion so we'd have to...Mr. Pelletier agreed. I think no matter what you do I think it would be to the Town's advantage to give anybody at least a one year. Chairman Coutu agreed. I thought of it when I was asking the question. I don't disagree with that. I agree.

How are you planning on communicating with the Town on these listings? Norm Pelletier said that was a good question. I'd like to find somebody within the Town that has knowledge on land so I could communicate with an individual. Again I think it would be to everybody's advantage I believe and simplicity if you will. By being able to talk to an individual, I'd even be willing to go look at each lot individually with this person and come out a true value because the values that I gave are the values that as I drove from lot to lot is what I thought they were. He or she may not agree with that.

Steve Malizia thought the other part of the question if I could jump in was if we gave you the listings, month by month would you give us a progress report I think and how would you communicate that to us? In other words if we gave you a listing for a year, how would you communicate with us? This is what I've done this month I've had 2 showings. I've had this and had that. How do you best do that is it verbally? Norm Pelletier said what's good about our company also is we have automatic feedback. So once I got the e-mail to where - probably the same e-mail that I've been communicating with now - I would send them a copy of the feedback whether it's good, bad, or otherwise makes a difference what you want as a feedback. So sometimes you get these feedbacks back within 24 hours. If you don't I usually call the showing agent if you will and then ask them to forward it to me and then I forward it to you people. You'll get them very often.

Chairman Coutu asked how would you do that. Mr. Pelletier said on e-mail if you chose that. If you chose to have me print them out and drop them off, that's fine too. Chairman Coutu indicated that's open for discussion. We just wanted to know how you would communicate. What is your commission rate? Norm Pelletier said I asked for 6 percent. Chairman Coutu asked would you entertain a variable commission rate for example if no co-broker is involved. Mr. Pelletier said no but I'd like to tell you why. I think you'll find that 6 percent especially for land is very, very reasonable. Although there maybe some lots sold without a co-broke, I still feel the majority will be sold with a co-broke. If I get a little bonus in there, why not. Chairman Coutu noted so the answer is no. You are a politician.

Chairman Coutu asked would you offer a co-broker commission on the properties. If yes, what is your co-broker percentage? Norm Pelletier said on land I like to go 50/50 - 3 percent.

Chairman Coutu asked if you bring the town an offer and the Board of Selectmen rejects the offer do you believe that you are still entitled to a real estate commission. Mr. Pelletier said not but can I comment a little further on that. Chairman Coutu said absolutely. Mr. Pelletier asked would it be possible to have - when you have buyers, you don't always have them forever. Correct? I mean if somebody wants them or some of them want to move so if there could be somebody in the town for example if we have it listed for so many dollars and they offered the asking price, I don't think there's too much to discuss. Am I right in thinking that? Chairman Coutu thought that was a fair assumption. Mr. Pelletier indicated at least make that decision

yes. Then if they ask for less, it depends on the individual. As a rule if they're priced aggressively as a rule, you only got 3 to 5 percent of what you're asking for. That's only a rule of thumb. If somebody tries to low ball it, I know it's more than likely going to be a builder because he or she is going to make an investment and they have to mark it a profit. They have to make sure...Chairman Coutu wanted you unless there was further clarification, something I want you and the other real estate agents to understand is that the final decision rests with the Board of Selectmen whether or not we sell a piece of property. We have to accept the offer. It would be difficult for you to communicate that to an individual. No one single person in the Town can give you that answer until it becomes before the Board. That's why that line of communication has to be open so that if we have a legitimate offer, it's presented so that we can get it right on the next agenda and then we can get back to you and say the Board has decided to accept the offer or the Board has rejected the offer. Norm Pelletier asked you meet monthly. Chairman Coutu said we meet 3 times a month - the first, second, and fourth Tuesdays of the month. If we need to work on a workshop, we could throw that on the agenda. It's a yes or a no on a bid offer on a piece of property. Mr. Pelletier said that is definitely not a problem then.

Selectman Maddox said I'm looking at your recommended pricing and your Berkshire Hathaway Londonderry and you don't seem to be anywhere close on many of these. How is the price that you came up with determined? Norm Pelletier asked close in what way high or low? Selectman Maddox said you vary. The Londonderry office and the Nashua office are off...Mr. Pelletier said you can have 4 different people look at one piece of land and you may end up getting 4 different prices on what the individual thinks that its worth. I can only tell you how I did it. When I went to a lot, I looked at the area - of course I'm very familiar with building houses because I work for a couple builders. Just gave you kind of my gut feeling what I think they should go for. I didn't get into spending a lot of time with appraisals or things of that nature because I do so much of this. This is what I feel that you should really get for it.

Selectman Maddox had a follow up question. We are hoping to sell more properties past this. This is kind of our unfortunately you guys get to be the test. I'm must having a concern that if you're at \$69,000 and your other Berkshire Hathaway office is at \$40,000 how that is going to play out when it comes time to be sold. Mr. Pelletier said I guess I got to put myself in your shoes. I would choose a company that I felt was comfortable with the individual and then have like another meeting with the prices that I come up with for example and discuss back and forth why we think it's worth this, why we think it's not, and so on and so on. You have to understand most of these lots were taken back from taxes correct? Selectman Maddox said correct. Mr. Pelletier said this is what I've put in my notes if you noticed. If you're going to mark it a lot, I also went under the impression that these lots would come along with a building permit. You can't expect a realtor to go out and try to sell a lot if he or she can't get a building permit. So I think there's a little more homework to do as far as - in other words, the couple lots that I say - I can't recall which ones they were but they look low. There might be some wetlands and things of that nature. There was one up by the VFW in the back. I forgot the name of the street. These are things that need to be looked at. Whether we like to hear it or not, let's be up front. We have to look at these to make sure we're marketing something that can be built on. Although this is not going to take forever, I think it should take a little more time. Again if I were to do it, I'd like to have at least a town representative with me to exchange ideas. Make sense?

Selectman Maddox told the Chairman I thought we were selling these properties as is. Some of them I don't disagree. They're probably only going to be able to be sold to the neighbors. I'm not sure that all of them are buildable lots. Norm Pelletier said if that were the case, then my prices would then be on the high side because I think it would read the abutter wouldn't spend a lot of money for it if he or she couldn't build on it. Selectman Maddox didn't disagree. That's why again I'm just trying to get the feedback from you today rather than 3 months from now and you say nobody's going to buy this lot. Mr. Pelletier agreed.

Chairman Coutu wanted to submit to all of you again. My questions are not specific to any one of you but in generality let's assume we have a sizable piece of property - not a quarter acre lot because we're not going to chop that up - and someone were to propose to you that they're interested in buying a small portion or a portion of that lot and they're willing to do all of the surveying, and be willing to pay the recording fees, and do all that would you be amendable to working with someone like that and making a proposal to the Board of Selectmen on a partial lot that doesn't detract or devalue the rest of the parcel? That would be a question to you and I'll expect everybody to answer that. I have a 10 acre parcel and a guy wants to buy a quarter acre because it immediately abuts his property and he wants a little more privacy. He's willing to subdivide it, record it, and make some sort of an offer. Mr. Pelletier indicated as long as it didn't take away from the people trying to sell it. I'd agree Roger if you have a piece of land that's around 5, 6, 8, 10 acres, you have to be a little careful because a good part of that land maybe wetlands. If it fit and you still had enough land for a building and for a home and it wouldn't take away from the home like the entrance off the road, I wouldn't see a problem with it. Chairman Coutu said whoever would obviously have to work with the Assessor or what not to make sure that it doesn't narrow the frontage or whatever is required for building and things of that nature.

Chairman Coutu stated if there are no other questions. Norm I'll give you an opportunity for closing comment if you'd like.

Norm Pelletier said no. I just feel - I think that if I did do some of it, I think you'd be very comfortable with me. I'm sure all the other realtors here probably would tell you the same thing. It depends on who you think you should go with. All good companies.

- Margherita Verani of Berkshire Hathaway, Londonderry, NH

Margherita Verani - I am the owner of Berkshire Hathaway Verani Realty. I wasn't aware that Norm was coming until we walked in the door. I did receive the proposal from the Town of Hudson so I went ahead and took a look at the lots and submitted a proposal. I've been in the business for 40 years. I'm just trying to think of some of the questions that you had asked Norm.

Chairman Coutu asked you've been a licensed real estate agent for 40 years. Mr. Verani said I have. It's hard to believe but I have. Chairman Coutu asked is your agency MLS. Ms. Verani said it is in MA, ME, and NH. Chairman Coutu asked is there any conflict with any of the properties that are listed. Ms. Verani said none. Chairman Coutu asked in the past two years how many residential land listing sales have you been the listing agent of. Margherita said probably 70 or so.

Chairman Coutu repeated you've listed approximately 70 parcels of land. What is your marketing plan or strategy for these properties? Margherita said well when I had gone out to take a look at these properties, and that might be why my pricing is a little bit different than Norm's pricing - was because what I was looking at is basically if who would buy these. Some of them I think you're absolutely right. You're going to have to sell to the abutter because I don't necessarily know that they're buildable lots. When I took a look at the lots, and I have been in new construction and land development and so forth for most of my 40 years, but you have to look at the neighborhood as well and say okay. The house ranges in this neighborhood are X and this is what if somebody buys this lot they're going to build something in this neighborhood of a certain price range. That's going to have some bearing on what you can charge for a lot in that neighborhood. So I looked at the lots. I looked at whether there was water and sewer available for some of these lots. Some of these lots have drainage easements that go directly into the lot so there's quite a bit of fill and so forth that's going to be required for these. The sewer and water were important for many of these lots to be able to build because they don't conform with your otherwise building standards. I understand the sewer has some capacity issues so that may present an issue. I was looking at it from a perspective that some of the lots somebody is going to be looking at to get the ultimate dollar, they're going to be looking to be able to get a building permit. Some of the lots you're just never going to get them on. So that's how I looked at price ranges. Nobody is going to build a - if you have to build a house for \$140,000 and you've got a \$200,000 neighborhood, you're not going to pay a phenomenal amount for the lot. Some of the marketing that I was looking at - and Norm is absolutely correct that before anybody does anything on this, there's a lot of ground work that has to be done to try to figure out what's involved with these lots and does it have the water and sewer that you can tie into. So there is a lot of ground work that has to be done with the town before you do that. They're not something where you're going to take them and say okay next week I'm going to put them on the market. You have to prepare what you're going to be doing with these lots before you do it. I personally would recommend that a website be created for these where you have all of the lots. You have all of the pertinent information on it so that you can get - and we would do that - but you can get people going to this and being able to have builders, developers, individuals going to this and getting the information that they need right off the bat. We do have new homes department and we do have lists of builders and developers that we deal with in both MA and NH that we would go out to. I was also thinking that you have some not so great lots and some really great lots. You might even want to think about packaging some of these up a sort of bulk things where you take maybe a good lot and throw in a bad lot with it and then you price it at a certain thing. It might be a way for you to get a little bit more for overall for all of the lots versus just putting one out there individually.

Margherita Verani indicated we do work as a team so I would be working with Norm and the other folks in the office. I think you've got some as far as timeframe, I think you probably I don't necessarily believe that it would take over a year to sell these if they were packaged properly but I'm not quite sure what the town if you have to give notice to the - is there some kind of a 90 day notice that you have to give if you're going to put them on the market for sale. Steve Malizia stated we're passed all of those notifications. We've held these for more than 3 years. Ms. Verani wasn't quite sure on that whether you put them out to public for that and whether you had to give them the 90 day notice based on the RSA but you're okay with that. I charge a little bit more than Norm. I charge 7 percent. We do not charge if the sale doesn't come together obviously. We only charge if it's something that is close - something that comes to fruition. We do help package things. You've got certain properties here that I think your highest and best value might be if you get somebody in and they do want to develop it. You might get parcels where you might have to split it and sell one half to one abutter and one half to another abutter. There are some parcels where I couldn't see how you could develop it period. Those probably would be going into the abutters and look at that.

Before we go on, Chairman Coutu wanted to understand something that you stated. Did I hear you suggest that in the event that we have a difficult time selling parcel A because it's either undersized or not developable that we attach it to another property that is saleable and try to offer both pieces to a developer. Margherita Verani was trying to suggest if something's not developable and never will be developable, nobody is going to pay for it. If you have 2 developable lots and one maybe isn't as great as the other. It might need more fill. This is just an idea. It's something I was throwing out. The other one is a better lot, you might attach them together because to get this, somebody might pay a little bit more for this. Chairman Coutu asked are you talking about adjoining lots. Ms. Verani said no. You just take a look at all of your properties and you do sort of a monopoly game. I'm just saying it's a marketing option.

Chairman Coutu thought it was reasonable for me to say, and I don't want to speak for all of the members of the Board of Selectmen, that we did not expect that when we entered into this exercise that all of these properties would sell. I think that there are some and in the end they're going to sit there and we're going to own them forever or until an abutter offers to give us some money. Some of them may be landlocked. I don't think any of them are. Ms. Verani indicated there's one that's landlocked. Even that an abutter would probably take a look at it and say why pay for it when I can get it for free. Chairman Coutu understood. There are some that are not going to be and I wouldn't expect you to waste an awful lot of time working on those. Obviously you're going to go after the ones that are most marketable and put most of your effort in that. If you get lucky

and some abutter comes along and says hey tell the Town I'll give them \$5,000 for that, you come and make us the proposal and tell us why you think we should accept it. I'm speaking to all of you. We'll certainly consider any offer that's reasonable. Reasonable would be if it's undevelopable and it's landlocked and somebody is offering money for it, it's reasonable that I think that we could sell it just to get it off our hands and get it on the tax rolls.

Chairman Coutu's next question is are you asking for an exclusive. Margherita Verani said yes. I think it's in your benefit to do an exclusive because you'll get somebody to actually market. Chairman Coutu asked what are you asking for a length of time. Ms. Verani said I would go with a year with 6 months as long as you're happy with the activity and everything that's going. Chairman Coutu reiterated you're saying a year with a 6 month contingency. Up to 6 months we can review it and if we're not happy withdraw. Ms. Verani said yes. That's what Chairman Coutu was looking for. How are you planning on communicating with the Town - monthly reports, daily reports, written, e-mail? Ms. Verani said I would probably say because it's a Board you'd want I'm guessing written reports or something that you could present to everybody. So we really will communicate however you feel most comfortable communicating. We have reports and forms that will tell you how many people viewed it, what their comments were, where it was advertised, what type of activity we got this week or this month. However often you want to be presented with the data. We can communicate however you like as often or as - every other week, every week; however you'd like to have it done.

Chairman Coutu thought in all fairness we'll kind of skirt this question in the future. We'll assign someone in town as a communicating agent and it will probably be the Town Administrator - I know you have nothing better to do. Obviously as long as we're not inundating our town employees with a million questions every day, you'll need to work at some respect with the Town Engineer and maybe the Assessor's office. So we expect that you would do that so that you'll have first-hand knowledge of whether or not it's a buildable lot, whether or not the sewer is acceptable, is it feasible for a septic system. If not are there any problems with water in the area? Is it feasible to put a well? Contractors usually do those test borings if they're really that interested. We'll skip that question. I think that this Board will set a person to communicate with for that to assist whoever the real estate agent is. Ms. Verani thought the communication can be however you deem...Chairman Coutu thought nothing less than a monthly report. It could be month 2 same as month 1. If we were to do this tomorrow morning, I don't think we'll have too many people running out at 30 below degree temperature of which it's supposed to be tomorrow looking at properties. If so, they want to buy it and show it them.

Chairman Coutu asked would you offer a co-broker commission on the property and if yes, what is your co-broker percentage. Margherita Verani said I absolutely would. In this particular case if it was 7, 3.5 percent. Chairman Coutu commented it's 50/50. Okay. If you bring the Town an offer and the Board of Selectmen rejects the offer do you believe that you are still entitled to a real estate commission? Ms. Verani said no. I mean the terms and the price have to be - I think what Norm was saying if it's full price and its cash, then probably but if not then it's the terms and offers that you have to agree to.

Selectman Maddox said by far you did the most in the presentation to us. You detailed how you came up with the price. You gave us water and sewer. You did that for all of the 18 parcels but again your numbers are significantly off from the other broker that we've seen already and to be honest from what our assessed value is. I'm sure you could sell it for \$60,000 if the other broker is at 99 and then town says it's worth \$103,000. Ms. Verani said I questioned some of your assessed values. Selectman Maddox thought that is certainly doable but just across the board you're probably at 50 percent. So to sell it for 50 percent of what it's assessed at and then give you 7 percent, it sounds like a pretty nice deal. Like Ms. Verani had said, I went out and I walked these. I was looking at the fill. I was looking at water and sewer. I was looking at the places in the neighborhood. I also looked at the assessed values. Some of these lots have 50 percent of the lot is under a power line. It's a neighborhood of \$250,000, \$260,000 homes. I know that maybe you could put a \$350,000 or a \$400,000 in that neighborhood which is what you would have to do if you're going to put a \$90,000 lot value on it. Again this is a very - and I think this probably would speak for all of us - you're going out and you're taking a look at lots that are on a - you have your assessment records and you have the data that you have there. You could look in the road. You can see if there's water and sewer and you can see whether there are drainage pipes going in, whether there's fill needed. You really have to do a much more detailed on each one of these lots to be able to figure out final price. The way that this was submitted for final price bid is difficult to do. Yeah I evidently am less than everybody else but I don't know that I'm that far off.

Selectman Maddox had a follow up question but you're the highest for commission. They're going to work harder to get the higher number and you're going to come in with a number that you've basically put at 50...Ms. Verani wasn't saying that I wouldn't list them for more. You asked me what I thought the values of the lots were. I'm not saying if I think the value is worth 60 and you're saying the value is worth 80, I'm not saying I certainly wouldn't go out and promote it for that. I find it hard to believe for a 40 or a 50 - I don't find it hard to believe because it evidently happened but for a \$40,000 or a \$50,000 lot if somebody is taking it for a \$5,000 and then they're splitting the fee with somebody else and then they're spending money to do marketing, there's not much leftover. I don't know. I personally think that there's quite a bit of marketing that has to be done on this. You have to package this. You have to package it properly. I think you have to do a website. I don't believe you just put it in the MLS and hope that you get buyers for it.

Chairman Coutu had a concern and I'm going to go down the same avenue Selectman Maddox has been going. There's a parcel that I noticed and when I did the price comparisons between for instance what you proposed and what Norm proposed. Both of you did a commendable job in presenting a package which you felt had a marketable value. So we had some number to look at. Fortunately or unfortunately you both work for Berkshire Hathaway different agencies and you came up with some different numbers. I'm familiar with a lot of these of these parcels but not as much as I am with one. It's almost a 2 acre

parcel. It's definitely a buildable lot. You're \$30,000 apart and I think the high price which his Norm's side I think is still \$25,000 short of what its market value is. Margherita asked which property. Chairman Coutu was not going to discuss the property except to say that it doesn't matter. Yeah I will tell you the property. Property #18 on your list. I'm familiar with the property. I'm familiar with the area. I'm familiar with the market value is for property in that neighborhood and you are \$30,000 apart. You're \$30,000 lower than he is and I think he's \$25,000 lower than what I think we could sell it for. I don't want to give away these properties. We want to maximize what we can get for the properties and I would be more comfortable with going with somebody who's willing to stick their neck out and go a little higher and then come back to us with what they feel is a reasonable offer on the basis of the asking price. If we're going to go out there and try to give them away, yeah you're going to be very successful but we're not going to get our fair market value.

Margherita Verani said now that piece of property needs septic and well. Chairman Coutu said so what. Ms. Verani thought when I was out there most of the leach - I'm trying to remember. Chairman Coutu didn't want to get into a debate about - I'm familiar with the property. It's typical south end property. I have a leach field. I have a septic system. I have a well. It comes with the territory. I'm sure I could get a lot more than \$45,000 for my piece of property and it's a lot less than 2 acres. I don't want to see us be put in a position where we're going to have to give all of these away in order to sell them. I would rather come up with a fairer market. I think the discrepancy between what you proposed just on that one piece of property compared to what Norm proposed was in my opinion ridiculous.

Selectman Maddox was more pushing the fact that why are we paying the highest premium for the lowest sale prices. Chairman Coutu said there you go. Again you're asking for the highest percentage commission. Any other questions? I'll give you an opportunity to make a closing.

Margherita Verani said the only thing I could say for closing is I'm pretty sure because I know the other ones - 16 and 17 were in the same area as that. Those look like they might be developable. I'm not saying I didn't make a mistake. Like I've said, I was going through 18 or 19 properties and trying to look at these things. I have the background. I have the experience but it's your call. Chairman Coutu said we're not disputing that. We appreciate the fact that you've presented quite a detailed packet as Selectman Maddox noted. You gave us quite a bit of information. I was impressed. I just want to know that. As Ms. Verani said this is a bid that's submitted to you given off of little information and there's a lot more work that has to be done before you list it with anybody. These were my suggestions to you but it doesn't mean that that's not what we wouldn't take it for more. Chairman Coutu knows it's not cast in stone. I understand that and I appreciate the work that you and all of the bidders put in. Any other questions? Seeing none, thank you very much Margherita. I appreciate it.

- Michael & Marie Day of All Day Realty, Hudson, NH

Michael Day, 24 St. Laurent Drive, Hudson, NH. Marie Day broker/owners. Chairman Coutu assumed you're related. Mr. Day said yes we are. Before I get into the questions in your communication to us on page 3 which is attachment 1, you listed the assessed values but in no way did you list what you felt was a fair market value. Michael Day said that was true. What we did was essentially - and the way we work is before we would establish a listing price for anything be it a residential property or a parcel of land, we'd have to meet with the seller directly and discuss first of all what's your motivation. Are you trying to sell these for the lowest dollar value to move them fast or are you trying to sell them for assessed value. Although I may have missed the boat, it asked for a marketing plan not a market analysis. So typically we'd meet sellers. We'd talk to them. We'd discuss what they want, then we'd go out and investigate properties, and then we'd formulate a market analysis after the fact. That's why you're not going to see from us any prices. Quite honestly until you find out what the seller wants to do with them, you're guessing. I could put a price per acre on each one of those parcels and attach it to the amount of acreage and come up with a value. I don't feel that's appropriate. As a matter of fact, my recommendation to the Town would be you should get an appraiser to appraise each one of these properties and come up with a realistic value. Somebody who understands the negatives and positives of lack of sewer, wetlands, access, frontage, any of those numbers of issues that are related to land.

Chairman Coutu stated one of the reasons why we have you all here Mr. Day is we want to hear the diverse opinion and marketing strategy. So we appreciate your response. How long have you been a licensed real estate agent? Michael Day said I've been a licensed real estate agent for 13 years. A broker for 9. My business partner here has been 15 years as an agent. Chairman Coutu indicated we'll take that as the answer. So she is now the senior partner. I hear your agency is a member of MLS. Mr. Day said yes. Chairman Coutu asked are aware of any conflict that may present itself with regards to the properties that we've listed. Mr. Day indicated no. Chairman Coutu asked in the past 2 years how many residential land listing sales have you been involved with. Mr. Day said none.

Chairman Coutu asked what is your marketing plan or strategy for these properties. I think we've heard part of it. Is there anything else you'd like to elaborate on? Michael Day said obviously everybody is going to put signage on properties. We'll do that. We understand everybody will put it in the MLS. We will do that. We further outside of just putting things in the MLS have 3 website addresses that take to our website - alldayrealty.com, alldayrealty.biz, and marieday.com. Marie Day indicated greaternashuahudsonhomes.com. Mr. Day stated when we enter properties or parcels into our system it goes out to all the syndicated sites - Zillow, Trulia, Narin, Yahoo. Literally 50 or 60 sites that we could just sequentially name no matter to do that right now. They're all national. They're all available to everybody. Quite frankly if you go in and you go under any one of those sites and you ask for properties in Hudson, NH, they will appear. It's just because of the way things are linked together and syndicated.

With regard to the web access, Chairman Coutu said that's something that pretty much everybody does, correct? Michael Day said yes. We don't paper advertise. We keep statistics when we do open houses for instance in residential properties. Well over 95 percent of the people who go to visit a property or visit something see it on the web. Chairman Coutu was old fashioned. I look at the paper. I'm disappointed that the real estate pages in the papers have shrunk unmercifully. I just wish they would list them in the paper. Mr. Day asked do you go to many open houses. Chairman Coutu said I'm not in the market now but I will be this year. I will be looking in the newspaper. Lenny they better list in the Hudson/Litchfield News or I won't be buying. I look to the newspaper for listings. Mr. Day indicated we can make an exception if we have to. The idea here is to promulgate as much information as possible for the benefit of the seller. As you go along in the process of selling anything, you've got to realize this might be a good idea. That might be a good idea. We believe in dealing closely with the Town. In this case it's the seller to find out what do you want. If you want the newspaper, we'll get you newspaper. Chairman Coutu wished people would understand that there are a lot of people like my wife who don't even know how to turn a computer on. Could care less. She likes to pick up the paper and look. She said how are we going to find a house. They don't list them in the paper anymore. I said I'll do all the work and I'll point them out to you.

Marie Day indicated by the time you find them in the paper if they're really attractive, they're going to be gone. I'm serious. People look on their mobile phones for property.

Chairman Coutu noted I have a friend that just bought one. I don't know who the real estate agent is. I know it's local that has been listed in the paper for well over a year and they just sold it a month and a half ago. They just bought it. I was shocked to find out this morning that they bought that property. It's a beautiful property. I'm surprised it took that long to sell. It must have been the price.

Chairman Coutu asked are you asking for an exclusive listing. Mr. Day indicated yes we are. Chairman Coutu asked for how long. Mr. Day said 6 months mutually extendable with the agreement of both the town and us. Chairman Coutu said communicating with the town. We'll set that. Your commission rate again? Michael Day said I just have to bring up a point here. It's our company policy not to discuss commissions, listing fees, and things of that nature in the presents of other brokers. We do that simply because it's the true way to avoid any violations of the Sherman Anti-Trust. I'd be happy to provide to you in writing. Chairman Coutu commented we have it. It's a public document. The commission rate is 6 percent. Are you sticking with that? Mr. Day said yes Sir. Chairman Coutu reiterated it's a public document. We are elected officials. We are responsible to the voters and we believe in full disclosure. Michael Day believed that was correct but I also have to state my opinion. Chairman Coutu respected what you said. I just want people to know what's going on so I'm being up front.

Chairman Coutu asked would you offer a co-broker commission on the property and what is your co-broker fee. Michael Day said yes we would and 50 percent of the listed commission. Chairman Coutu asked that's pretty standard in the industry isn't it 50/50. Mr. Day wouldn't comment on that. In Chairman Coutu's dealing with real estate it's pretty common. Mr. Day said I certainly can't comment on that. Chairman Coutu was sure that there are others that don't. If you were to bring the town an offer and the Board of Selectmen were to reject the offer, do you feel you're entitled to your commission? Mr. Day said if rejected no. My assumption is is what a market and sell it to somebody else. My philosophy is that we're here to sell the property. If you reject it for whatever grounds, it probably wouldn't have occurred anyway. We would pursue trying to find another buyer. It's that simple.

Selectman Maddox indicated since you did not give us numbers, I'm trying to find where you kind of sit. Have you seen the document that I'm talking about that shows the values. Some of them are close to the assessed values. Where do you think most of these properties sit as far as opposed to the assessed value? Michael Day said I really couldn't answer that without doing a thorough market analysis. I apologize for not having provided that. A market analysis doesn't say how the property relates to the assessed value. It relates to what the seller wants. Marie Day said and how it relates to similar properties. Mr. Day state if I were to go out and walk the land and say drainage issues, septic whatever, that's one thing. I would have to talk to the Assessor before I could say how closely the price that I would give you relates to that because I don't know exactly what the Assessor takes into consideration. In other words if I went to see a property that looked fine to me, I'm not a builder. I'm not a developer but I saw a low area with standing water possibly wetlands, I'd have to go check that out with the Assessor. Has the Assessor noted that and does that impact the price, the assessed value? I don't know if that's making sense to you but it's difficult for me to say down the line with 18 properties. You know this property is this close or that close.

Selectman Maddox understood that we're doing this on television in front of an audience. It probably would be a lot easier to discuss some of this in my home if I had 18 properties that I wanted to sell that weren't town owned. Michael Day understood that. Selectman Maddox said unfortunately that's not how government works. We're trapped by certain things as are you. I'm just looking to say you've given me no indication where I'm going to be with you. Michael Day would have to say in answer to your question that the pricing is relatively close to the assessed value that I would give. That's a generic answer or a general answer but specifically for each property I'm sure that there's some that are considerably less. Some that are considerably more but across the Board I'd say my guess is quite close to the assessed value in terms of marketing.

Selectman Maddox asked and you've sold no residential land. Michael Day said no. Marie Day noted we have where there's been construction involved and the land has already been approved for building in the past but not in the past two years. Mr. Day said just straight land parcels.

Chairman Coutu asked if there were any other questions. Seeing none, I'll give you an opportunity to wrap up.

Michael Day said we'd appreciate the opportunity. We've worked with the town in selling the residential properties in the past year. I believe we had an extremely good communication back and forth. I think we probably would have a reputation of being completely dependable, completely available. Like I said, we haven't sold land before but a product is a product and if you market it correctly and if you approach intelligently and you know your product, you can sell land as well as houses. We just appreciate the opportunity and thanks for having us here.

Chairman Coutu was unaware that we sold any property but...I asked the most recent property that we sold. Steve Malizia indicated Derry Road. Michael Day found in that experience because it was a tax deed sale. Some of the things that we started out to begin with we thought were a given at the end when it came to getting a clear title were not a given. We had to rely on the Town's Attorney to straighten that out so we have an idea what we would anticipate looking into with all of these properties in trying to clear up those issues beforehand with full disclosure of any legal issues, any liens, anything that would impeded a clear title because price is one thing but clear title is another. We believe our experience in that area will help. Chairman Coutu said you did a good job on that property as far as I'm concerned. I was pleased with that. I didn't know that you were the agent that sold it. I had no idea who sold it. All I cared about was how much money we're getting. Trying to get best value for the town's share. Is there anything else you'd like to add? Mr. Day said no not at this point.

Chairman Coutu noted we'll be interviewing the last and then we'll have a preliminary discussion before we decide on whether or not we're going to do this tonight or at a later time.

- Lisa DiBernardo of DiBernardo Real Estate, Hudson, NH

Chairman Coutu asked how long have you been a licensed real estate agent. Lisa DiBernardo said I'm working on almost 11 years. Chairman Coutu asked are you or your agency a member of MLS. Ms. DiBernardo said yes and I'm also a member of the NECPE (New England Commercial Property Exchange) the commercial version of the MLS. Chairman Coutu asked what differentiates that from MLS. Ms. DiBernardo indicated that is the equivalent to the residential board. It's the commercial board. I'm a member of both because I've been primarily doing commercial real estate for the last 6 plus years and I did residential before that and during.

Chairman Coutu repeated you're saying that you're doing commercial for the last 6 plus years. Ms. DiBernardo said yes. Chairman Coutu asked do you find it's more lucrative that's why you're doing commercial as opposed to residential or your primary focus is commercial. Lisa said it can be I suppose more lucrative but I just had the opportunity to get into it 6 years ago. I was working for a broker over in Nashua and so I made the switch.

Chairman Coutu asked is there any CTE something that other realtors are not...Lisa DiBernardo said there's quite a few who are also on that. Chairman Coutu noted so it's not an exclusive. You have to pay a membership due. Lisa said you do have to pay dues as well. I don't know the percentage. Chairman Coutu thought this was something new and unique. I've never heard of it before. Lisa stated most of the residential agents are on it. There are some.

Chairman Coutu asked is there any property based on your evaluation of the properties that we presented that might present a conflict to you. Lisa stated no.

Chairman Coutu asked in the past two years how many residential land listings have you dealt with. Lisa indicated I haven't with residential but two quite large commercial property here in Hudson down by Subaru and another one out on 101A in Nashua. Chairman Coutu noted that both of those were successful. So you've had two that you've listed and completed. Lisa said yes in the last couple of years.

Chairman Coutu stated you presented your marketing and your strategy plan. Do you want to give us a general overview without having to read all of this document that's 2 pages long? Ms. DiBernardo thought most of us are probably looking at doing very similar things - getting it onto the MLS but I also put all my listings out on the internet websites. They get pushed out to probably 30 - 40 additional websites as Norm mentioned - Yahoo, Google, Trulia and all of those out there. It gets pushed out to all of those so that there's a lot of State and national exposure, my website. I do occasionally use the newspaper the Nashua Telegraph primarily but in this case I might try the Hudson paper as well. I would put a marketing package together for each piece of property because when you are doing a co-broke situation, they usually will request a marketing package that has everything in it - deed, photographs, the property information card, GIS maps, and all that sort of stuff. Maybe even an aerial for one of those lots - the 51 acre lot might require an aerial because that's probably a development type lot. I would send out announcements to other brokers. I would probably contact individually every single abutter. That would probably be my first step because they are most likely on most of these lots the likely buyers. Signs would go up for all of them. Most of these lots I would put out on the MLS. I would probably put a couple of these on NECPE as well the commercial database because of the development possibility. There's a couple other sites that I would maybe use for those as well - Loopnet, Costar, Showcase. Those are also commercial geared databases.

Chairman Coutu asked how many people work in your office. Lisa said it was just me. Like I said, I was working for an agency over in Nashua for the last 6 years and I just decided it was time to do my own thing. Back in October I started getting everything together with the State and got myself ready for this year to start my own company. Chairman Coutu applauded you and women who are willing to stick their neck out and start up their own businesses. I certainly appreciate start up costs

and what's involved in starting up a business and had a few over the years. I know what it's like. Do you have clerical staff that assists you in any way or do you do it all yourself. You're a one person shop. Lisa said for now I'm going to do it myself. Eventually my sister is kind of waiting in the wings to join me when I can afford her. Chairman Coutu noted you sell a whole bunch of properties like this you might be able to afford some of this. I want you to know that it's not a detriment. I respect the fact that you're trying to get up and running. I respect that. Lisa said I have some other business too. Just so you know, I am very computer literate. My background is in business and computers. Before I made the switch to real estate 11 years, so I'm very computer literate and I'm pretty efficient.

Chairman Coutu asked are you asking for an exclusive - it's a dumb question but it's fair. Lisa said I am. Chairman Coutu said she's looking for 6 months with a one year preferred. So I saw thought. I'm sorry I thought everybody had seen that. It was one year preferred in your plan. Communication we'll handle. Your commission rate. Lisa said 4 ½. Chairman Coutu questioned and said seriously. Lisa said yes. I would offer out - it's a little different than the others. I would offer out 2 percent to co-brokers and 2 ½ I would keep because of the expenses involved for all the advertising and the marketing and such.

Chairman Coutu stated you bring the town an offer and we reject the offer would you expect that you should be paid your commission. Ms. DiBernardo said no not when it's not an acceptable offer. Chairman Coutu was surprised that none of you put up a fight about that. I'd have said yeah if it's a reasonable offer you're going to hear from me. That's all in the agreement. Any questions from anybody?

Selectman Maddox noted you're saying under your proposal to us the asking price and you believe that the lots are probably worth 5 to 10 percent more than their assessed value which is a substantial amount more than and for the lack of a better term the big boys. I'm just wondering how you're getting there? Lisa DiBernardo said I put that in there before when you requested this from us the bids. You didn't specifically ask us to put the pricing together so I didn't at that time. Since then I've spent a considerable amount of work doing the comps on all of these properties. I did visit some. I did some by satellite on the computer that I couldn't get to. Since then I did do the comps on all of them. I didn't bring copies of that for all of you but I do have it here if you want to see it. These would be my suggested prices. You can pass that around. But I again agree with what's been said. I wouldn't set those in stone. Those are just suggestions. I think there's a lot more information for these lots for build ability and such that needs to be looked at before the price is set.

Chairman Coutu noted these are all in the order as it's presented here. We could have a reduction in the tax rate if you've got all this money for all these things compared to what everybody else is asking. You'd be an aggressive sales person if you can get these prices. Lisa DiBernardo said you're at the 98.8 percent valuation rate with the State right now. Assuming that the assessments are done every year on paper in between the physical assessments that are done every 5 years, I agree that there are some lots that have different issues like there is a landlocked lot and there are some other things with the other ones. I did make adjustments for those but I looked at the recent sales I could find and compared prices per square foot. I look at the lots that are out there for sale right now and did a lot of comparing and tried to come up with what I thought was a fair market value.

Chairman Coutu wanted to make sure I didn't misread \$599,000. It's aggressive.

Lisa DiBernardo said that piece there is prime development land. Chairman Coutu didn't disagree.

Selectman Maddox asked about 100 Derry Street. Is that in Hannaford's Plaza? Ms. DiBernardo said I'm just diagonally up the street.

Selectman Nichols questioned your marketing expenses. You were going to assume all those costs for your printing, internet database, mailing, signs, advertisement, photographs. Ms. DiBernardo thought they would all agree to that. Selectman Nichols didn't know as no one has mentioned that. Ms. DiBernardo said we pay for all of those things. If aerials are needed, you pay for the aerial photography.

Lisa DiBernardo thanked the Board for the opportunity. I know I might be a smaller firm than some of the other ones but we're all members of the same boards, MLSs and such. All our listings go out to the same places. I think probably the thing that differentiates us is what we do for the marketing how aggressive we are and what we do to get the information out there to people that's beyond just sticking it onto the MLS. I am a local. I live in Hudson. I'm a local person. I'm looking forward to this if it works out.

Chairman Coutu appreciated Ms. DiBernardo's time as I do all of the other agents. With that said, we've had an opportunity to interview. I open it up to the floor for your recommendations on how you wish for us to proceed. Well let's not all speak at once. We have two ways in which we can handle this. We can have an open and frank discussion this evening based on what was presented to us. I would entertain a motion if anyone is willing to make a motion or we can set this aside and bring it at our next regular meeting. He'll give you that much more time to digest the information that's been presented to us. If you have any questions, you can call the Town Administrator. He's done a lot of the preliminary work on this. Without getting into questions, it would have to be in general terms please and not specific to the bidders. That's a decision you have to make on the basis of the information. We could have a discussion tonight and reach a consensus or a majority or we can defer it to the following meeting. What is the wish of the Board?

Selectman Brucker would like to discuss it at another time. They've all done a good presentation. They all have their strengths and weaknesses. I think I'd like to discuss it...I think it would take more time to discuss it then.

Chairman Coutu noted it also would give you an opportunity to bring in any questions that you might have and if it needs to go another meeting, we could send an interrogatory if there's something that sticks to your craw, we can send an interrogatory to all of the real estate agents. We will not send any questions exclusive one from the other. They would all be involved in the process. That's your position Selectman Brucker. Anybody else?

Selectman Nichols agreed with Selectman Brucker. I think they all gave great presentations with a lot of information to swallow. I might have some questions during the week and I would like a chance to really look it over again if that's okay.

Selectman Maddox thought that we need to decide where we're going. Chairman Coutu said that's where we need to have a discussion. That part of the discussion we should probably hold this evening. In Selectman Maddox's opinion, this has great potential for failure if we do not set a good foundation. You've seen that the numbers for these parcels are all over the map. What is our expectation? I think that at the very least we ought to get something from the Assistant Assessor to say how does he come up with that number. I think I've based everything that I'm looking at based on what the Town provides. You're seeing people that are 10 percent, and then some above what he has, and some at 40 percent of what he has cut down on the assessing records. How are we going to go forward an in fairness to all of these people what are we going to decide as a fair offer as far as the four companies. Personally I'd like to use a local company but they're all fairly local. Does a bigger group get us more name recognition more foot traffic through an office as opposed to a smaller operation. I think that unless we have a plan of how we're going to do this, I think all of them at the minimum we should be doing this for a year with whoever we choose. Again I think that we have some issues to resolve as far as where we're going to go and what we are going to be looking for as far as dollars and performance. If they sell two of them because they cherry picked two, sell those and let the rest of them go. Is that where we want to be? Again Mr. Chairman I think the Board has some answers that we have to deliver to them before we make a decision on who we're going to choose to do this.

Selectman Nichols said after looking at all of these and listening, they didn't give us any etched in stone prices. The prices were out there. If we didn't like a price that came back to us, we can reject it. To me that is part of what we're going to do. Isn't that so? Can we do that? I thought they could go out and get a price for a property and if we were not happy with that price or happy with whatever, we could reject it. I can't see how we can say where we're going. Nothing is etched in stone as far as I can see and for what our brokers told us, nothing was etched in stone. I don't know why we would have to discuss that when we can reject whatever offer if we don't like it.

Chairman Coutu wanted to qualify one thing that you said. I didn't hear anybody say that their rates weren't etched in stone. I think those are etched in stone. Anyway I think that in reference to what Selectman Maddox was saying, first of all we have to remember we are the sellers and not the buyers. Sellers tell the real estate agent what they're expectation is and the real estate agent does their best to meet that expectation. If after they have 5 or 6 offers and they're all in the same price market and it's 10,000 below what you want, the real estate agent would come to you and say look I think you ought to take this because we've got 3 offers and they're all about the same. We just can't get to that point. I think what Selectman Maddox is saying, and I certainly agree that we need to lay the ground work. We need to do our homework in a sense. We made a commitment to the taxpayers last year that we would do what we could to get rid of whatever excess land that we have to raise monies to put into a capital reserve fund for our buildings, parks, recreation, and whatever we made the commitment to do. That doesn't mean we need to rush out there and just try to unload these properties. I think we need to do our due diligence to what we're trying to do which is get maximum value for the land but we need to know what that is.

Chairman Coutu thought what Selectman Maddox is suggesting is that we need to lay the groundwork to get a fair market value number one on the properties. I think the only way to do that and the fairest way to do that is to have the Assistant Assessor be presented this package. I think he's aware of what it is and have him come in and tell us why the value is what he estimates the value to be and then we can ask him our questions. If we have any concerns about the value and if he's hard and fast and he can satisfy our interrogatory about those particular parcels then that will become then our asking price and we have to have certain expectations. The agent that is selected needs to know what those expectations are. If we think that marketing a piece of property that's valued at \$110,000 and we say yes that's what we're going to market it at, that's our expectation. If the agent selected comes in and says I have a fair market offer of \$90,000 and that person is willing to pay it, then at that point we make a decision. We can either sell it or we can hang onto it for another 6 months to a year to see if we can get the \$110,000. That's a decision we have to make and we have to make a decision on the basis of what is fair to the taxpayers. We want to market this property. We want to get as close to market value as we can. We have the right to reject offers. There are parcels of property in here that if somebody were to offer me \$3,000 to \$4,000 tomorrow morning I think I'd say take it. It's just common sense dictates in some instances what the market value is and in others they have real good market value. It's incumbent upon whoever is selected to do their homework as well and how to sell the property, how to market the property for full value.

Chairman Coutu stated we can write a contingency that we will give them all a one year contract with a six month review subject to change based on poor performance or no performance. I think to try to put them out there for less than a year is ridiculous. We need to have somebody that sometimes it takes 6 months. There's an awful lot of parcels here. You might want to focus on one or two up front. I don't know what their strategies are going to be that look more marketable and get those out there and then develop a plan for the rest. We're not going to sell of these I don't think in a year. It might take a little

longer than that. If somebody is out there, we have to be careful who we select. We want somebody that's out there that's really putting their best foot forward to selling these properties, and developing a plan, and all good things come with patience. I think that's what we're going to have to display. I agree with Selectman Maddox that we need to set the expectation. I think we need to first establish the value. Two maybe we can have him look at these parcels and tell us what he knows - septic, frontage, what is it about any one of these properties that he knows would make it less marketable than other parcel or property so we know what our expectations are.

Selectman Maddox indicated this is where I, again, kind of highlighted on the ones that they were low on compared to ours but there's one that they were 10 times more than the assessed value. Again I'm just trying to keep our expectations real to them and what they give us back is something that we're willing to understand is where it is. I'm just concerned that if we think it's worth \$180,000 and they sell it for \$80,000, why is it there. I think we have some questions to ask and I think that unfortunately we're doing this kind of in reverse. If assessed value is \$8,100 how somebody thinks they're going to sell it for \$90,000, I'm just wondering where we missed the mark. Chairman Coutu said super salesman. Selectman Maddox said great but again I just don't want to be sitting here selling one property at the end of a year and nobody is happy. Again these are things that we would do in the dark. Unfortunately because we're a town, we have to do this on camera. I think that we're struggling to see where we're going here.

Chairman Coutu said our next meeting is next Tuesday. I think that's too short a period of time to lay this on the Assessor to present a package that's...the next meeting after that is the last week of the month. I will be out of State for my company for a week. I will be in Connecticut for a week. Do you want to bring it to the first workshop in February or do you want to go on without me in the third week of the month? I think to ask the Assessor to do all this in one week is short order. It's not fair to him or to us. If we want a good work product, we need to get a good work product from him.

Selectman Maddox said the February workshop at the same time Mr. Chairman I would ask that if the four applicants have anything that they want to present to us during that send to us for review at that meeting. After hearing all of this and going back and digesting and...Chairman Coutu thought that's fair because we did not conduct interviews excluding one from the other. The second person got to hear the first person's answers. I think that's fair as long as the, again, we qualify that by saying that we want it to be open and fair but everybody is being offered the opportunity to amend - not the bid price because we saw that but if there's something in your marketing strategy or something that you want to present to us over and above what you've already presented, you're welcome to submit a letter to us through the Town Administrator and we'll look at it as part of the marketing strategy. If you feel that there's more work or detail you want to put into your plan, I mean I don't know how much you want to invest in it. You have to remember there's four of you and only one that's going to be selected. I received an awful lot of information this evening. We all have. That's certainly going to weigh very heavily in my decision making based on what I heard here this evening and how each of you presented your packages and your plan. There are as Selectman Maddox alluded to questions that we need to have answered relative to value which is we think is critical. Our expectations should be if nothing else first and foremost is certainly what our market value expectation is and how much we think we can get for the property so that when you come in and you say we have an offer, we know we're in the ballpark and it's a fair market. We can make an intelligent decision based on that. So we're opening that up to you. The first workshop in February is that fair? I'm sorry to push this out but you're not going to be selling properties in the next couple of months I'm sure. I hope you do.

Chairman Coutu reiterated the next meeting to review this will be at our February 3rd workshop at 7 p.m. You're welcome to present anything that you have.

Michael Day asked wanted to know when would you need any additional input from...Chairman Coutu stated prior to that meeting. The Thursday prior. Our agenda goes to bed the Thursday prior by noontime. You can hand carry or mail it.

Chairman Coutu asked is there any other information you think that we should get other than having the Assessor in here so that we can look at the valuations. Do you want to have the Engineer look at? He has the GIS..

Selectman Maddox asked the Town Administrator to work with the Assistant Assessor as well as the Civil Engineer. I think he knows a lot...Chairman Coutu agreed. The Civil Engineer has local knowledge correct. Selectman Maddox said he's worked a number of these sites doing the roads by them and whatever. I think that that might be a resource that we tap into. Chairman Coutu said whatever local knowledge he has without getting into - unless he's got time to get into the finite details of each parcel. I don't think he does. Selectman Maddox noted sewer and water and those types of things.

Selectman Brucker was thinking the Town Planner might have more. He's been here longer. He might have more time to work on it.

Chairman Coutu said we can see if they're in the water and sewer zones and things like that. That's information that we don't readily have. That will give us a better...you get the gist of it. So we're all set. Thank you ladies and gentlemen. I appreciate your time.

Selectman Maddox asked did we get a copy of that pricing from the last applicant. Chairman Coutu asked can you provide us with a copy of your pricing. It was very interesting. Lisa DiBernardo asked do you want me to e-mail it or drop it off. Chairman

Coutu said either way. You can e-mail it to the Town Administrator if it's easier for you rather than making a trip over here. God knows what the weather is going to be like in the next few days other than bbbrrr. Very cold. Thank you so much.

B. Inspectional Services Rate Review

Chairman Coutu stated we have this evening a packet that was given to us by the Fire Chief with the current rates as well as the recommended rates. Chief Buxton thanks and welcome.

Good evening and Happy New Year. Chief Rob Buxton apologized for the tardiness on the charts. Unfortunately with the holidays I decided to take a little personal time so staff was preparing them. We needed to finalize at the beginning of the week. I appreciate your patience. Tonight I'm bringing before you the proposed updates to the Inspectional Services fee schedule. Currently the fee schedule seems to be on the low end of the scale for our area. We have not conducted a fee schedule review of the building in Fire Department schedule since 2005. In an effort to make sure we're conducting a fair review, we use some common communities of size and activity. We used Bedford, NH, Goffstown, Hooksett, Londonderry, Merrimack, Pelham and Salem. We contacted all of those communities. Those are comparison communities that we've used on a couple of different projects in town and look forward to their information. As you would expect, their fee schedules, how they fee schedule was all over the place. There's no consistent scheduling as to how or what you charge for. Tonight you have a spreadsheet in front of you. It shows the category. It shows the 2005 permitting fee and then shows the proposed adjustment for the permitting fee. I've also included a couple of examples in your package. I gave you all an updated package this evening. It has updated worksheets in there for some common permits that we see regarding residential properties to residential properties. Two is 55+ communities that are going on in town now and one is a commercial update. I also provided you a copy of the Sustainability's proposal that they sent forward and I'll speak on that briefly and move forward.

Chief Buxton would like to take the opportunity and highlight a few of the changes that we're proposing. There's 78 different categories so I wasn't planning on going down through each category. I was just going to give you the highlights and see where you wanted to go. We're proposing to a working without a permit fee this evening of \$250. One of the things in Code Enforcement that we found is we find a lot of contractors working in town without either no permits and then they call for the CO at the end. The plumber didn't pull a permit, or there was no building permit or if somebody goes to sell a property and then they're like there's a major change to the home. What happened? They come and pull the record and there was an addition put on the back of the property, or the deck is setback, or over a bulkhead and there's a lot of construction that takes place day in and day out with no permitting at all and oversight.

Chairman Coutu asked does this fee exist presently. Chief Buxton said it does not. It's part of the new schedule. Chairman Coutu asked is this something that is common practice in other communities. Chief Buxton said yes other communities do this. We're also looking to change the square foot pricing on a few things - electrical and plumbing along with remodeling. Currently those systems are set on a flat rate. Remodeling is actually built on an estimate value of construction. So if somebody comes in and says they're putting in a kitchen and they tell you that they're going to spend \$500 on the renovation and you go and you look at the plan and they're taking down a bearing wall, and putting steel beam, and adding oak cabinets and granite countertops and you estimated out. So then you end up in this quagmire with the applicant in regards to you said it was \$500 and it's actually a \$20,000 renovation. Where do we end up? We're offering to go to a flat square footage renovation piece and that is common practice across. The establishment of some fees for sprinkler and standpipe systems that we currently did not have.

Chief Buxton indicated then we get into the Sustainability Committee's piece. We sat down actually after the Board meeting when the Sustainability came in and proposed their - they started as a warrant article for a reduction of the permitting fees. We sat down as a group. We invited the chairperson in for that group and had her explain what she was looking to do. The committee looked at what was going on, where we were a fee structure and why is the amount of activity that was coming in and we didn't necessarily have any issue with that. So we've included that as part of the process. I did sit down with the Finance Director and talked with her in regards to how we would handle that. I think Selectman Maddox had said how do you go about it? Do you collect up front? Do you collect at the end? How has the fee scheduled worked out? From sitting with the Finance Director, she didn't see any major heartburn on her part in regards to collecting the fees up front and then issue a rebate check at the end if a certificate came in for a LEED certified building. I offered it up to her and said what would be your recommendation. Certainly I would ask that you ask her opinion as you see around because this won't be completed this evening.

Chairman Coutu asked Chief Buxton are you stating should we approve - I imagine this would go to a public hearing. Chief Buxton said oh yeah. Chairman Coutu indicated if this were to pass and we were to approve the fee structure change that there will be language in the new ordinance to accommodate the LEED certifications. Chief Buxton said that's my recommendation. Linda Kipnes was fine with that.

Chief Buxton's biggest question that I pose to you is why should we change our fee structure and why should we be conducting the review. We haven't done a review since 2005. That's probably the biggest thing hanging out there. We're not in 2015 so we're coming up on 10 years. That's a pretty significant amount of time. Major codes within the industry are updated every 3 years. That not only means that the codes were updated and there's more costs put on the buildings to be put in. That also means there's more requirements for inspection and review that's being done. I'm a licensed electrician as most of you know. The last update had significant code updates done in there and almost \$500 worth of additional costs to construct a home

because of Arc-Fault Protection, and GFI location, and additional outlets and dedicated circuits. That's all time that the inspector has to take on plan review and on the inspectional time up front. We feel that it is in good mind to increase the fee because we are being required to do a more detailed review. The proposed fees bring us in line with area communities. We're not shooting for the moon. We're not shooting for the bottom. We want to be right in the middle and be fairly reasonable with what we're doing because we do like the activity we're seeing coming in for permitting. I will add this one caveat that 2014 closed out with the most highest issues building permit activity in recent years upstairs and over the last 10 years. Even through the boom years as we called them back in 2007 and those time periods, we surpassed that this year. The economy has changed but where the building activity is continuing to move on and the activity is still there. We were up over 1,000 building permits never mind the sub permits. Every building permit has usually 2 or 3 sub permits that go with it. The activity level is definitely staying up there.

As Chief Buxton stated, the code and standard changes that happen. My suggestion to you is this is actually an activity that we should either take annually or on the major code updates. So either on an every 3 year basis we do a paper review of the year, and I bring in a report that says we have a major issue here, or we need to make a change here, or somehow for that review but this is something we need to get on some sort of a schedule and keep it on a schedule so we don't fall behind to the 10 year mark. I will say as I started off, I need to thank my staff. They stepped up to the plate and they did a review of all of those communities and 78 different points. They worked hard. Inspectional Services folks worked hard. Clerical staff worked hard to pull this presentation together tonight. I know this needs to go to a public hearing if you have interest and probably needs a little further clarification but that's what we would suggest.

Selectman Brucker noticed that some of the items just would be a \$25 increase but some of them are quite a bit off with the increase from the original. For instance, the plumbing deduct meter \$35 to \$75. Was it just that we were too low to start with? Chief Buxton said we were well below the average for the town. That's where that number came from. As I explained, we did change theory on others. When we went to square footage pricing versus per 1,000 pricing it was a base rate. I had given you a couple of examples. There were 3 of them stapled together in the back. These were basically I asked the staff to pull 3 scenarios for you and look at common applications that we've seen in place. We have what I would consider 2 major 55 plus communities taking place in this town at this point in town. On the front page you'll see our current billing or what they were billed out for an actual permit that was pulled. The next page is the proposed. You'll see that most of them were within a couple of hundred dollars to \$400 of an increase. One of them is a commercial renovation change down on River Road. That shows the per square footage price versus the flat rate price. We've tried to give you some scenarios so as you look at this 78 different categories, it's hard for you in your head to say okay what is this going to do to the average billing permit. I wanted to give you some tangible things that you could hold onto and say here's a comparison.

Chairman Coutu thanked Chief Buxton for those 3 examples. It shows that the fees have increased certainly but it's not exorbitant. Chief Buxton commented there's a lot of information there. Chairman Coutu said the first two were construction and the one was a rehab on a commercial. That's fair. Any questions for the Chief?

Selectman Maddox thought one of the reasons when we went to combining Inspectional Services between the Fire Department and what was the Building Inspector that we'd see some synergies Chief. Almost all of these prices are going up. If I read this correctly, and I'm trying to figure out the matrix here, I want to have a new plug installed in my kitchen it's going to cost me \$100 to get that done. Again where are we helping out the homeowner where we want them to get a permit to install one plug? We're going to charge him \$100 for the permit. I don't think is where we trying to go Mr. Chairman with consolidating our Inspectional Services.

Chief Buxton said when we consolidated our Inspectional Services and what we've done with staff was we've cross trained and please correct me if I'm off base. We've cross trained all of our staff. That means we have 3 different inspectors upstairs doing different reviews and everybody is capable of doing each other's jobs. Our pricing and what we found when we looked at our permitting fees being 10 years old, we're basically behind in every category. I don't disagree with what you're saying. You get one stop shopping so you've got one inspector that's going out and doing the review on one spot but you were paying for that permit before regardless. So you were paying for the single permit for the outlet up front. Currently in the increase you're still sending the inspector out. He's still doing the review. He's doing the application fee is all taking place. The cross staff and the inspection team is increasing efficiency of how much activity we're handling in the field and the review that's being done. We've got 3 sets of eyes - permits and plans aren't sitting as long as they used to. We went from a 30 day review down to about a 2 week review or less on most. Renovations have really flipped around and desks have flipped around almost the next day. So from where we were out to 3 weeks to a month on the review of permitting. I don't disagree that the fees have gone up but we were behind the 8 ball when we got the plan in front of us anyway. I don't see the fees going backwards. That's my recommendation for what's taken place.

Selectman Maddox asked if we take Brody Lane because it's the top one - the permit today is \$560 and it's going to go to \$818. How much is that permit in Bedford? How much is this in the other communities you compared us to? Are we going to be in the middle of this pile? Where are we? Chief Buxton noted I had said that we would be in the middle of the pile. Not at the high end, not at the low end. We're shooting for the middle. The application fee for us is \$30. Bedford, NH, is at \$50 just to fill out the application never mind any of the square footage for the building, the electrical permits, or anything like that. That's just the permit fee itself. So we're looking to stick with the \$30 permit fee. Some communities that are smaller than us are at 25. Bedford is at \$50. Nashua is more than \$50. I didn't look at the larger municipalities, although they're in the area

just based on the overhead that they're carrying and I felt that their permitting fee - I tried to stick with a comparison that was somewhat similar to the size of Hudson itself.

Selectman Maddox said based on this for a year what do you think is going to be the additional revenues coming in Chief. Chief Buxton said I didn't do a full year in review. I will tell you that right up front. I will tell you that our collection last year was - I'm shooting from the hip here but I believe it was about \$250,000 somewhere in that realm. We were 180 percent collected. There's a couple reasons for that I feel. The sheet that you see in front of you is an Excel spreadsheet that we created when we took over the Building Department and Inspectional Services group. Basically the square footage is entered in and now let's calculate it out instead of hand done. Previous to our combination, permit fees were figured out on a piece of scrap paper and hand done. We're double checking the fees and anybody that comes in and says how come my fee was up; we have the backup now to show them. We're not hand figuring things out. We've had some consistency that wasn't there before. It was all human error. It wasn't anything that was outside the realm. It was just reality. We put in new processes and new review processes to make sure we're capturing what we should have been capturing.

Selectman Maddox said if you brought in \$250,000 would this increase your thinking we're going to go to \$350,000. Chief Buxton said I can try to get some of that number pulled together for you but at this point I would say obviously our revenue would be up just based on activity and where we're going the bulk of the fees are increasing. I couldn't gather at this point an overall number for you.

Selectman Brucker had a question. This has to be published and publicly reviewed. Is that correct? Chairman Coutu indicated it would go to a public hearing. Steve Malizia stated if you wish to forward this to a public hearing, it would be advertised and the changes would be advertised. The public would have an opportunity to comment at a public hearing so developers, builders, landowners, residents, citizens whoever can come in and make comments say I think you're all wet, or I think you're great, or whatever. They can do that. You have to have a public hearing before you change any fee that's established.

Selectman Brucker asked if we get a reaction that's not positive, then we can't go forward with them. Chairman Coutu said we could. It's still our decision to make. We give the people an opportunity to express their opinion about what is proposed. I would think that if you had 5, 10 people in here you'd want to listen to what they have to say when you're making your decision and weigh carefully what they said.

Selectman Maddox stated if we're going to do this Mr. Chairman and I know the Chief and his staff have put a lot into this but I'm trying not to punish the good. So I think at some point Chief we need to look at maybe a blanket for some bigger industrial sites or commercial sites. A minimum charge now on a commercial industrial is \$250. Again they say we moved 3 offices around and I'm changing 4 plugs, they're going to have to pay \$250 to do the right thing and get it inspected. Chief Buxton said that was correct. Just to rebut to your comment that you won't come in and you renovate 3 office spaces, you may be putting some sort of electrical lathe in there or some sort of device in there that requires an electrical review that isn't being done in there today. As companies move in and move out of properties in town, we have a \$100 fee that is for Certificate of Occupancy. As a company moves out of an industrial property and moves down the street to another one, that's something that takes place today. If there's fees and electrical updates that need to be done, that's taking place already. Those are all figured on base permits and then sub permits for the work that's being done in there. I understand your view. I think that we're behind the schedule already. We're behind on the schedule. I'm not looking to take advantage of anybody but I am trying to make sure that we're doing our due diligence to make sure we're getting our fees where they need to be.

Chairman Coutu wanted to pick it up right there. Let me see where I can put this scenario. I'm going where Selectman Maddox was. I have a building and its brand new, inspected, occupancy permit. I'm in there one month and I have a piece of equipment that comes in. The guy comes in and says sorry you need a 220 line here for this and I call an electrician. I need to put a 220 in get this 110 out to put this piece of equipment in. I've got to pay now an additional \$250 to have them come in to change that plug. Chief Buxton indicated you would pay for an electrical permit. What Selectman Maddox is talking about is renovation permit. Chairman Coutu said well I'm renovating. You're talking about renovating its changing electrical outlet. Chief Buxton said a renovation is not classified as...Chairman Coutu asked what's an electrical permit going to cost me. Chief Buxton said an electrical permit is going to have an application fee of \$60 and then whatever the review is for the device. So what you're bringing in for a service. If you're bringing in a piece of electrical equipment and I've done some of the stuff, it's routine for people in the industrial park to have to bring in different types of lathes down to the new machine shop down there. That's a routine piece of business that they do. There's no renovation fee for that, that is an electrical upgrade that is done. The electrician comes in and pulls the permit. They pay a base application fee and then the electrical inspector goes out and does the inspection and closes the permit. That's done day in and day out today.

Chairman Coutu asked but the citizens and the State of New Hampshire still allowed to do their own electrical work if they wanted to. Chief Buxton said there is a couple of qualifications there. A person that owns their own property and lives in their property and does not have an ALU or any rental piece attached to it is still allowed to do their own work within their home. Chairman Coutu stopped Chief Buxton and said Chief you and I are both aware as me, I'm sure Selectman Maddox and other members of the Board that that's foolish. We know of homes that have caught fire because of Mickey Mouse electric work by Joe Blow the next door neighbor who's an electrician. Chief Buxton thought that a better example in the electrical field is even the new rules regarding gas appliances that went into place. We had an incident up in the Lakes Region where they had a propane explosion that took place and they tracked it down to installation on a weekend. It is what it is.

Point of clarification Mr. Chairman. Selectman Maddox said again we went through that they're going to pay \$60 for an application fee and whatever the electrical thing is. I'm reading it says a minimum charge Chief. It's presently \$150 and we're going to \$250. Again to do that one plug whether it's 110 to 220 or a new 110 line. They're going to pay \$250 to get that inspected. Chief Buxton said we under the code of the State of New Hampshire have the ability to use the authority having jurisdiction and the common sense approach and you look on their and you look at decks, and you look at sheds, and electrical devices like that. Any shed underneath 120 square feet doesn't require a permit. There's no inspections that need to be done. If somebody is coming in and adding a single device, they're not going to pay \$250. We're not going to charge that. We have some leniency there to be able to do those types of things. They pay an application fee and you go out. That is the type of work though that I'm going to be honest with you that runs us into trouble. When people come in and they go to close on a property and they've added 3 plugs in the cellar because they put up some sheetrock on the weekend and now there's a family room down there and somebody throws a bed down there and they market their home as a 4 bedroom instead of a 3 bedroom. They come in and the real estate agent says the loan officer comes in and that's where it's usually caught is at loan time. They say you don't have a legal fourth bedroom because there's no window. There's no way to get out. There's no life safety events down there. Those are the areas that we run into problems and those are the things that take up the Code Enforcement Officer's time and staff time to do those types of things. That is why we are trying to clamp on those activities and force folks to come in.

Selectman Maddox said I'm going to keep beating this dog until it dies. I'm having a problem Chief with the commercial \$250, \$100 increase. Most of our commercial businesses are going to do it right. They have to. They don't have the ability to have Larry come in and do their electric work. So somebody has to come in and pull a permit. I just think that raising that one particular item I think causes me at least some heartburn Mr. Chairman. We want to develop businesses. We want to be business friendly and I just think this one with \$100 increase is not going in that route.

Chairman Coutu asked Selectman Maddox do you want to beat it some more. No one is reacting.

Selectman Nichols questioned didn't he just say that there would be some leniency. That they could be lenient in some areas. Chairman Coutu said a fee, is a fee, is a fee. No we're going to post fees and then say well for you I'll just charge \$2, for you \$102. Selectman Nichols said you can't do that. Chairman Coutu noted no not if you have a fee schedule.

Chief Buxton's issue comes down to that this is a suggestion from staff in regards to where we feel the permits fees should be. It is within the power of the Board of Selectmen to make the determination in those things. Chairman Coutu understood that. I'm waiting for Selectman Maddox to amend that particular one.

Selectman Maddox was waiting to see. If I'm the only one, there's no sense driving over the bridge Mr. Chairman. Chairman Coutu said why don't you give it a try. I heard your argument. I'm not deaf. I'm as sympathetic as you. Again, Selectman Maddox thought that that is the one that stands out Mr. Chairman inasmuch that again I think our business is in the commercial and industrial are where we want to grow here, where we want to bring in those people and to say to them its \$100 increase. Maybe most of the time Chief by the time you add up everything, it's going to be more than \$250. I don't want to hear from businesses that oh I just put in 2 plugs and it cost me \$250.

Motion by Selectman Maddox, seconded by Selectman Coutu, to maintain the commercial and industrial minimum charge fee at \$150 and not increase it to \$250.

Selectman Maddox was saying Mr. Chairman I see why the Chief went there. I see why staff is saying that after 10 years there are a number of inadequacies within our pricing structure. I am saying this Board has tried to be as business friendly as we can and to those businesses that do the right thing and get a permit for every little plug, every little detail, \$100 increase is in my opinion not the right way to go. That's where I'm coming from Mr. Chairman. No more no less.

Chairman Coutu said on the basis of the conversation that we've had in the past, I agree with you. On the basis of the conversation that we've had in the past about becoming business friendly, I think this is just common sense. It's common sense.

Vote: Motion carried 3-1. Selectman Brucker in opposition.

Chairman Coutu wanted to go over another one. Why is - and there may be a good argument, I just want to hear it Chief - the re-issuance of a revoked permit. Why are we going up \$150? I'm on page 9, category blasting. We're going from \$100 to \$250. Chief Buxton said Hudson notoriously has had one of the stiffer requirements for blasting in the State of New Hampshire but we've learned from our mistakes. What I mean by that is in my first life when I was here in the early '90s, we actually had to go out and needed to monitor blasting that took place in town. We've put in an ordinance regarding blasting. We haven't gone up in the fee structure in almost 10 years. It is very rigorous and violations are taken seriously. We feel that the review is to try to get them to be focused on doing the job right the first time around. To be very blunt if you put the fine on the other end at a point that they don't want to pay, they're going to do the due diligence to do their pre-blast surveys to contact the abutters to make sure that their meters are in place and all of the reporting is done. So if we do get a complaint, we don't have grounds to revoke their permit. That's exactly why the fee is being pushed up as high as it is. It's basically trying to force them into following the ordinance, and filing for their license, doing the advertisements, doing the pre-blast surveys, contacting the

abutters. As complaints come in, they have a certain number of days before they have to service the complaint and try to make amends. We've really pushed that back in the blaster where the town used to get in the middle of that. We've pushed that back on the blaster to push them to meet with the public and bring it to a conclusion. If there is damage to the property or if there is a complaint from the time of day, or if it's too overcast and they blast and the cloud cover holds down the blasting cloud and then you'll end up with the sand and those types of things or debris being thrown through the air. I think the old story goes is that one day they were blasting out on Flying Rock Road and you had a rock that came all the way out to Kimball Hill Road. Those types of things. When you look at some of these fees and the same thing with the \$250 fee for working without a permit, that's a pretty steep fine that you pay but you want it to be taken serious. You want to get people's attention to make sure they're following the rules.

Chairman Coutu mentioned it's a punitive fee but it's a dissuade at the same time. Chief Buxton didn't necessarily want to collect those fees - working without the permit and the re-issuance fee. I want to educate the contractors and get them to work within the schedule. Chairman Coutu said if they get to that point, they created the problem and not us. I understand. I get it.

On the last page Chief, Selectman Maddox noted it says "daycare and foster care". It says \$50 was the price and now it is...Chief Buxton said we're holding at \$50. Anything that you see that's blank and the update is being held at what we're at currently. I'm sorry if I didn't explain that basically. I think there's a couple of them there that we held firm on to take care and foster care. That's something that we're required to do by the State and takes some time to cause the appointment to get out there. It may actually be after ours and not even during the normal day sometimes. That's why we charge the nominal fee of \$50.

Selectman Maddox had a follow up. So when we post this, I think we need to put the dollar value in there. It was \$50. It's still \$50. I would think that means it's gone away. Chief Buxton said okay. We'll clean it up. I think it needs to probably be cleaned up to make sure that...Steve Malizia said probably have something that would show the fee and if it's going to change it would be stricken out and the new fee would be in there. If it's the same fee it would still be there. Selectman Maddox didn't know if it was going to be two columns. Mr. Malizia said no. I think you'd have one column with...I'd have to look at how it is going but you'd want to keep the number there so people know what it is.

Motion by Selectman Maddox, seconded by Selectman Nichols, to forward to a public hearing on January 27, 2015 amendments to Town Code Chapter 205 Fees, carried 4-0.

Chairman Coutu told Chief Buxton to let your staff know we appreciate the work that went into this and we appreciate your time.

Selectman Maddox asked about LEED. Does that have to be part of that same public notice because that's going to be a reduction on fees? Steve Malizia assumed it would be some clause in the...Selectman Maddox said it's going to be on the bottom. Mr. Malizia said in the actual code, you'd put down LEED certified schedule. Should you attain this, it would result in a reduction of fees on X. Selectman Maddox said since it's not there now Mr. Chairman, do we not need to put it...Steve Malizia noted you'd have to put it in that code. I'm assuming you're regurgitation all that section, the whole section because so much has changed. You'd put it in there as part of it. Chief Buxton said that was my thought was that would come the same night as an attachment on the bottom of the fee schedule. Mr. Malizia said yes. That's when you'd look in the book to see what the fees are.

C. Benson Park Restructuring

Chairman Coutu apologized. I should have forwarded something. Benson Park restructuring. I had no idea. As a matter of fact I got a hold of Selectman Nadeau and asked him what it was all about. He thought it was somebody else who put it on the agenda. I called Donna today and she said if you remember this was an action item. I had mentioned this particular item. As a result, Mr. Schibanoff is here. He's the Chairman of the Benson Park Committee. Harry if you would and then I'll give a general overview. I don't know if you were here because of this. I know what it is now because Donna refreshed my memory. We're restructuring only one small thing. It has nothing to do with your committee or we're going to sell half of Benson Park. If you remember just to enlighten the Board and Selectman Nichols had called me about it, I had mentioned that there was some concern expressed in the past about the detail that we assigned to the Recreation Director relative to handling - I don't know and Harry you're going to have to refresh my memory, he handles invoices and approves them. He also does the contracts for the port-o-toilets. He also was the one that people call if they want to use the park and there was some question raised about we need to have a better coordination of that. I started looking, again, at the deed and what the restrictions are. Another person and I had a discussion today relative to if I were to call the Recreation Director because he's the one we made this assigned to and I said I'm going to have 60 people. We want to be down by the lake by the gazebo. We're going to have a wedding. So he says okay we have nothing scheduled for that day. There's no cleanup or anything you can go down there. They get down there and somebody else is down there with 30 people. We can't throw those 30 people off. Unfortunately for the people for the wedding, there's no guarantee that they can have the property. So those are the kinds of conflicts that can up. No fault of the Recreation Director or Benson Park.

Chairman Coutu asked has Benson Park Committee given some thought to the - I know there's been some general discussion. Is there a better way for us to be able to, is there somebody else, or a better system for us to implement? Is there somebody on the Benson Park Committee that's willing to take on additional responsibility? Not necessarily you Harry but somebody? Is

there a better approach for us? Do you want the time to bring it back to the committee and come back and make a suggestion to us?

Harry Schibanoff said yes. Like I said, I didn't know why this was on the agenda and I happened to look at the agenda. Chairman Coutu said I didn't either until this morning. I apologize. Mr. Schibanoff said I figured I better show up because I want to know what's going on. When Chairman Coutu looked at it, I said who's trying to restructure Benson Park. Donna said you are and I said no I'm not. I just have a couple of questions.

Harry Schibanoff said we have talked about this issue many, many times. It is a problem because there is no supervision within the part itself. If a group comes in and they want to reserve a spot, we have to tell them we cannot guarantee that you will get that spot. It's a first come first serve decision. There's been some problems in the park about that. Some people claim that they have put it on their permission form. Some people don't even fill out the forms and still have a group meeting in the park. We don't know how to enforce that at all.

Chairman Coutu heard that there were conflicts with some of the gatherings and cleanups. Harry Schibanoff said yes. Sometimes if you have a group of 100 people going in there, there's going to be higher usage of the port-o-potties and then they have to be emptied out. Nobody covers that cost. We've talked in the past I think in this room about a donation being made to the park as sort of a fee. Chairman Coutu noted a donation can be made. No fees can be collected. Mr. Schibanoff said we've only discussed that briefly in the committee. We haven't really come to any resolution. Chairman Coutu emphasized we can request a donation. We cannot charge a fee in any fashion at all. Mr. Schibanoff said it wasn't very well received as I remember by the committee.

Chairman Coutu was concerned. Right now let's deal with - so that's a problem and how to manage that. We don't want to dictate or micromanage it. You guys are doing an outstanding job. I'd rather have your Board discuss it and come back to us with one or two recommendations so that we can digest the information and then correct any deficiencies because it's a work in progress still as much as we've done. We're learning as the years progress. You and I both know it won't be long we're not going to be here. Somebody else is going to take over and I just want to make sure that we set it up and get the mechanics right. It's been hit and miss a little bit and a lot of times more often than not we've gotten it right.

Selectman Maddox said for those of us that were semi paying attention, are you telling me that if somebody calls the Recreation Director and says I want to reserve the gazebo area or the A-frame 3 Saturdays from now from noon to 5 and they fill out the paperwork, they do all that, and 16 people are already there, they don't get to use the space they reserved? Chairman Coutu said you can't throw people out of the park. You can ask them to move. If they refuse to move...Selectman Maddox said then what's the sense of having this whole rigmarole of reserving it. Chairman Coutu noted this is what we're trying to figure out. Selectman Maddox said if you're not going to be able to provide it, why build up their anticipation. Chairman Coutu agreed. That's what we need to look at. We've had a situation I believe where someone did reserve a space and when they got there somebody else was there and they didn't want to move. I think that's happened.

Harry Schibanoff said part of the reason for that is that if the Recreation Department knows that there's 3 weddings going to occur on a certain Saturday - maybe a wedding isn't a good example - 3 birthday parties. They can inform a person who comes in and asks for the fourth that there's already 3 going on in the park and do you still want to use that day. They make it very clear I think in the Recreation Department that we cannot pick a space and it's not guaranteed that you will have that space. The form doesn't even allow for you to indicate what space you want.

Selectman Nichols thought the reason for filling out the forms is the amount of people in your party. That way it gives the Recreation Department an idea of how many people will be in the park areas for those separate parties that will be using the port-o-potties so that they have an idea if they will have to be emptied if there's 20 people that's it and the regular people. If there's 3 parties - one with 60, one with 75, one with 45, and another party of 20 that are having a birthday party somewhere else, that's a lot of - plus the regular people that come to the park. That's a lot of usage. It's a lot of people using the grounds, using the port-o-potties. You have to have an idea of the cleanup afterwards.

Selectman Maddox asked about the form. This form Mr. Chairman if I might be clarified, this form is basically a crap counter. It is simply there to give somebody an estimation of where our port-a-potties will be in the...Chairman Coutu said you are not putting that in the paper. I thought it was great. I'm saying he is not writing this down. I love it. I love it. I saw you head for that piece of paper. I said he's going to put that in the paper. That's cute. I agree. Selectman Maddox said it seems a waste of paper. Again if you can't hold that space, I wouldn't bother filling it out. I get there early and sit down and say it's mine.

Chairman Coutu said it's like when my wife and I used to go to Wyman's Beach in Westford. It's not there anymore its condos. We used to get up at 4 o'clock on a Saturday morning, pack our lunch, 2 couples, put all our kids in the beach wagon and head down there to have the table end of the tree because Doris would sit nowhere else and that's what we did. We made sure we were there by 5:30 and we owned it. It's not reserved. This is what I see going on at Benson's - first come first serve. You think you made it very clear at several meetings there's no guarantee. We can't guarantee. We can't reserve spots but yet we put them through this whole process.

Selectman Maddox said so I'm saying why bother put them through the form. Chairman Coutu said why bother except that as Selectman Nichols said, it affords an opportunity for people to have somewhat of an idea of who's coming in. On any given

day, there could be 50 people and the next day there could be 350 people. We don't know. We can't control who's going to come, and when they're going to come, and where they want to sit, and what they want to do. There's certain restrictions. Other than having the dog officer checking down there every now and then or get a call for police if there's somebody we feel is in violation of a rule or regulation but we don't have a police force down there. It's not our intent to put one there. I'm just wondering if we're expecting too much of the Recreation Director and if there is another way to do it, and I don't think there is. It's been tried and tested. I think as far as how many people are using the portable toilet, they're not going to be emptied on Sunday. We need to have a system where somebody is checking it on Monday and see if it needs to be emptied. More than likely it certainly does. I think we do it every Monday anyway don't we. Mr. Schibanoff indicate Thursdays and Mondays. Chairman Coutu said if we need to add an additional day, I think Harry one of the things that for future reference when you're doing your budget, I think you're as conservative as we try to be. If there is a need and we took on this obligation, Benson Park, and we want to make it work. We were voted Best Park two years ago in the State. If you need more money and we need to do it an extra day, let's accommodate the citizens who are good enough to come to Hudson and come visit, eat in our restaurants, and shop in our town hopefully and if we need to have an additional day we need to find the money and we need to do it. To increase your budget a little to accommodate that need is not beyond - it's not an unreasonable request in my opinion. I certainly would support it. We want that park to be not only aesthetically pleasing - well as part of the aesthetics, we certainly don't want it to be smelly. One of the things to prevent it from being smelly is to empty those things and if need be and we had that kind of traffic, we throw a couple of extra ones in there or we do one extra day a week whatever it takes. It's only a short time. The peak period is June to the second week of September? Harry Schibanoff said it goes through November now because we find around Thanksgiving there's a lot of people that go to the park.

Selectman Maddox noted they're catching them in the park and cooking them in the park but they didn't fill out the form so it doesn't count. I would ask the Recreation Director to take a look at his usage at other parks. There may be parks that he doesn't need them as much. Again I don't know what he's doing with port-o-potties. Steve Malizia indicated there's pretty much one at every other park. My experience that I've done at the park because of youth activities. There's pretty much one at every park. Selectman Maddox said there used to be on at the skateboard park. We don't have that anymore so that one is freed up. Again I'm just trying to say better management of his port-o-potties may be where we pick up some increase. Again I agree Mr. Chairman to keep a piece of paper, I'd much rather find out when the heaviest usage is and we add more to...

Chairman Coutu said he has a part time clerical person. She doesn't need to be doing this on top of everything else when it's of no value to anybody really.

Selectman Brucker asked there's no way to amend whatever these regulations are about how we run the park. Chairman Coutu said it's a deed. We'd have to rewrite the whole deed. We agreed to all of this. We knew what we were getting into. Selectman Brucker said we agreed to not be able to reserve any part of the park. Chairman Coutu commented it's not that we agreed not to reserve. I don't think we can tell people to move and get out unless they're breaking the law.

Selectman Maddox thought you could - the White Mountains you reserve camp sites. You reserve the barbeque grills at various beaches and parks. Let's have the Rec. Director kind of give a little scan to that and see what we can do.

From a practical perspective, Steve Malizia asked who's going to police it because if Joe Blow is down there with 25 people, who's going to go down and say hey you've got to move.

Chairman Coutu indicated when you go to the State Park, having been a former police officer in the White Mountains, we worked extra detail Friday and Saturday nights. We patrolled those parks and made sure that camp sites were reserved. The people who reserved a camp site got their camp site and somebody else wasn't trespassing because that was a feature of those areas if they had areas. We don't offer that as a feature. We open the park up to the public. We're not a camp ground. We're not a...

Selectman Maddox was asking is you're saying we can't. I'm not sure that we can't. How we're going to enforce it is another whole animal but either we just say first come first serve don't worry about the magic crap counter form and move on or if they can come up with a system where you want to reserve - and there's probably only 3 or 4 places that people would want to reserve right? Chairman Coutu thought there was a few more than that. They could reserve the top of the hill where the kids had their recreation party to the left of the pond, down by the pond at the gazebo - both sides, and then you could do the A-frame. There could be an area that you might want to reserve. In front of the elephant barn is an area you'd want to reserve. Once we move the train station, you've got that whole side area that we could reserve. There's quite a few areas that you could reserve that you could put 30 to 50 people comfortably if you bring I guess your own chairs otherwise you're all going to sit on blankets because we don't have picnic tables to accommodate parties of 40 in one area.

Selectman Brucker couldn't believe that you couldn't put up a board of some kind with so and so party noon and that people would observe it. Chairman Coutu asked who would see that. You have hundreds of people walking in. They're not going to stop and look at a board - is there a party today? Selectman Brucker said not. I mean at the area where they want to hold this party. I can't believe that people plan weddings on the hope that they're going to get a spot there. Chairman Coutu thought we've had a couple there already haven't we. Harry Schibanoff said we've had quite a few weddings.

Selectman Nichols said someone had a supposedly reserved spot. They had filled out the form. The whole thing. They had put their sign up. The sign was up and a group came in and pulled the sign down and threw it in the garbage and they used it. There's not guarantee.

Chairman Coutu said we have people that walk around - Harry you know this - everyday, they walk their days and whatever, and they're picking up trash. Right behind those people are people throwing trash. There's no way of controlling it. It is what it is. It's a public access area. I just think that we're just wasting the Recreation Director's time making him go through this whole format. I would like you and your committee if you would to look at that. So that's one issue. I think you need to come back to us if you see there's a problem with the toilets and there's just no money in your budget to accommodate that. We'd like to hear it anyway and see what we can do. I don't want you to be reserved about that but just be aware that there is a need that we have to empty them more, then we'll empty them more. We're not going to waste our money doing it but if we need to, we need to.

Chairman Coutu indicated the other thing was does he still inspect all of the invoices or is that pretty much passé now we don't have all these invoices that he reviews. Didn't he used to review invoices and sign off on them before they came? Harry Schibanoff said I usually give them to him like if we spend money for a cleanup or something. Chairman Coutu said there are things that you've seen yourself and reviewing you know it's an expense. Mr. Schibanoff said I'll initial them and I give it to him and he processes it. Chairman Coutu said that's not an approval process. Mr. Schibanoff stated sometimes Dick Empey will go directly to him. Dick may call me up and I just tell him to take it into the Rec. Department. Chairman Coutu thought unless others have recommendations, I think that what I would like Harry if at possible is for you to bring this up with the Board and see if there's anything we can do to make life a little easier for the Board and how things get done in the summertime. If there's another way that we ought to try things...I know that you guys make most of the decisions on races and things like that and who can use the park. That's fine and projects that go on - the scouts. Usually they'll come in and see us afterwards but we wouldn't entertain it unless you approved it first. If there's anything we can do to make your life easier just let us know. I think that's what this is all about. We just don't want to waste the Recreation Department's time. They have enough to do without having to listen to people bark about well I reserved it and it wasn't reserved and then he gets hell for it. We just have no control over that I think unless you can come up with something different. I don't see how. We've been talking about it for quite some time and I don't have an answer. I've thought about it. Harry Schibanoff indicated yeah we haven't come up with a solution. Chairman Coutu noted it's not restructure. We haven't restructured anything. Thank you Harry. To you and to the committee, thank you very much for all you do.

Chairman Coutu said the other thing was I brought up the discussion about whether or not and I want to bring this to bed one way or the other. I care but whatever the Board wants to do. I felt that, again because of a lot of problems that we could conceivably face with the senior center that I felt that the senior center should no longer be under the umbrella of the Recreation Department. Again this is my opinion. I felt that perhaps we should remove it from the Recreation Department and we should put it under the Selectmen's budget, and Lori Bowen should report directly to the Town Administrator who works in conjunct with us. That's my opinion. I think I've expressed why. I want to open that up for discussion and hopefully we can put this one to bed tonight one way or another. Any comments or observations?

Selectman Nichols thought bringing it into the town where it belongs. To me it belongs under the town umbrella sort to speak. It's a town building. The seniors come under the town now not so much as the Recreation Department. The Recreation Department from what I can see has tons of things to do. They've got all these summer programs. They've got all the football, baseball, and soccer, and you name it. They've got tons and tons of dances and things. The seniors are a separate entity. You're not going to see them out there playing basketball or it would be rare. There might be a few. I think that should be brought under the umbrella of the town. I think it would work better. That's my thoughts. It's not recreation as to how the Recreation Department is run right now. It's different. They play games. They play Bingo. They play cards. They do knitting, crocheting, puzzles, Zumba, exercise, bone strengthening. It doesn't really I don't think that comes under recreation somehow or other. That's my opinion.

Selectman Maddox ask Steve Malizia correct me if I'm incorrect but I believe that under the State reporting the MS7...Mr. Malizia said its 747...Selectman Maddox said the Senior Affairs is under the Recreation purpose. That was Mr. Malizia's understanding. Selectman Maddox noted that the Police Department is under the town all of the departments. I was just trying to follow what we report up to the State as far as the financials. I'm just Mr. Chairman semi opposed to putting more and more people directly into the Town Administrator. There needs to be a chain of command whether its police, fire, or recreation. I think that having this group report directly to the Town Administrator is just not the right way to go in my opinion. I think that he is under that MS757. That's the purpose and reports up to the Rec. Director.

Chairman Coutu was told that there are other times in New Hampshire that do not have it under their Recreation Department. I'm just going by what I was told. Have I researched that? No.

Selectman Maddox asked what will it gain us then Mr. Chairman. Now you're not going to have a department head. You're going to go directly to the Town Administrator. Again I just think that we're setting...Mr. Malizia said if you think the Rec. Director is busy, I hate to tell you I'm kind of busy too. No offense but.

Selectman Brucker said it seems from listening to Lori Bowen and Dave that they have a pretty nice working relationship and that their staff meetings seem to be working out fine. I don't know how much the seniors really go to the Recreation Director to

really make any decisions. They really pretty much function on their own I think. Then they meet weekly or occasionally they meet and have a staff meeting. I think it's working the way that it is. What would you hope to gain from changing it?

Selectman Nichols said observing. That's all I can say is I observe when I'm there. I think Lori runs a very good ship. She works very hard. A very tight ship. She knows what everybody wants. I don't think she needs very much guidance from outside. She doesn't need outside influence. If she needed something at all, I think now I could see her coming to the town and saying I really need this. If there's a way I can get it, fine. That's how she is and I think she should maybe be made in charge of that senior group because she knows them left and right, backwards and forwards. She knows everybody's name. She knows what they like, what they don't like. Chairman Coutu noted she is in charge. Selectman Nichols didn't know because she won't take charge. She will go to Mr. Yates if she is unsure of something instead of making up her own mind. I think she knows everyone so well that she could do that without using Mr. Yates. She could run that pretty well. She does a job now. She runs a very tight ship. I think if she needed something instead of going to a meeting with Mr. Yates and saying well I might need this and then him sitting around saying well we'll figure out how to do that. I think she should just come and ask for it and then we can say yes or no. We can easily do that.

Chairman Coutu said to me the best example, and I'll get to you Selectman Maddox, the printer, copier or whatever they didn't have we picked up the phone and we got it done within a week. What was it a printer or a copier and she's been waiting and waiting for one. How does an office function without one? Picked up the phone and made a couple of phone calls and it was done. No one seemed to come forward to tell us that the need was there. Now whether it's Lori - the way the structure is, she's doing the right thing. She should be reporting to Dave and asking Dave for guidance. If she has an item that's necessary and it's not coming to us, we have no way of knowing it. I'm in a quandary.

Selectman Maddox believed it was you that was concerned about if she left tomorrow. At least having Mr. Yates as the department head she reports up to has some idea. I don't think the Town Administrator is going to get to know everybody there, what time Bingo is, and all of those things. Chairman Coutu said he does. He's almost their age now. Selectman Maddox was having a problem with chain of command. If this person is going to be allowed to go right to the Town Administrator, then the crossing guards want to go right to him. We can start this thing and it's going to balloon to a program I don't think we want to go to. We have an org chart and I don't see the necessity of bypassing that. If she's got an issue, she's going to go to the department head. If she does not believe that her answers have been met or there's concerns, then she would go to the Town Administrator like anybody else would. Chairman Coutu said he has an open door policy. You're right. Selectman Maddox asked why are we opening his door more than it already is for this one entity. I just picked a group. Chairman Coutu wanted to have this discussion and put it to bed once and for all. I understand the chain of command as much as anyone else.

Selectman Nichols thought the same with Lori if she left. What would you do if Dave Yates left? When you look at his whole list of things what would you do? Selectman Maddox indicated promotes Lori Bowen. Selectman Nichols said that is a tremendous amount of work that he has and I think he should keep to it. It's because he's needed there. The seniors more or less take care of themselves. You take Lori, she runs that place like I said and she knows what everybody's wants, everybody's needs, who needs what, who likes this, who likes that and it didn't take her long. She's got almost 500 people coming in and out of there. Granted she's only there 3 days a week but if she left yeah you'd be in a quandary in a bit but you could get some of those volunteers that know until you could get somebody steady. If Dave Yates left, how would you run that other than having our Chair run for his job?

Chairman Coutu indicated we have people even in this audience who have past experiences with the Recreation Department that could probably take it over as a supplemental income. I don't want to think in those terms at what happens? What happens? What happens if the Town Administrator dropped dead? I will bring him in here, put a pencil in his hand, it happened at work. The town will not fold. We will continue to survive. Those are hypotheticals. What happened was some seniors had come to me and said that initially when we first talked about the senior center before any construction they had said that one of the comments that had been made and perhaps it was me and perhaps I spoke out of turn, I don't think I did but it was always my impression and I think I said it here publicly back then that the seniors want to be in the envelope of the municipality. Well they are in the envelope of the municipality but I think they felt that it would be a direct link to the Board of Selectmen through the Town Administrator. I felt that that may or may not have been the message I conveyed. To some people, I felt that I did convey that message and I had an obligation. I've spoken to a few people who came to me. I mean a few not a lot. A few who said how come the Board of Selectmen doesn't run the senior center? We do. We're ultimately responsible for everything. Well I felt that it shouldn't be under the Recreation Department. I think that maybe there is still some of those people from way back. There was that little bit of animosity and it hasn't festered. We kind of eased it and now they have their own place. There's still people who have a negative vibe about it and they just are concerned it shouldn't be under recreation. I said I will bring it forth. We'll have a healthy discussion and it will be whatever it is. I'm kind of leaning to what you're saying Selectman Maddox.

Steve Malizia said if it's helpful, we do have a senior advisory committee. I would assume that if there were issues of grave importance or some sort of performance or real critical that that committee would advocate for the senior population.

Chairman Coutu didn't want people to get the impression that there was any adverse...Mr. Malizia said but there's a committee there. Chairman Coutu was talking about the performance. There's no issue of performance. Mr. Malizia said you do have a group there that I'm assuming is made up of diverse people. There's people who participate in the senior activity that are there

to improve it and to do those programs. You're still not that mature yet. It's growing. You have a part time person and you're still feeling your way. We don't even have a budget. We had to cobble that together if we all recall. We're working on first year of a revolving fund which you've never done before. There's going to be some growing pains and maybe it's just best to kind of let it mature a little bit more. Don't know where it's going to go down the road. I'm not trying to kick it down the road. I'm just saying it's fairly new. It's been a resounding success from what I can tell. I'm not aware that people are dissatisfied with what's going on in general. There maybe a few complaints here or there. I don't know. I'm not trying to say that everything is perfect but from what I gather Ms. Bowen is doing an excellent job. Again when things are needed if they're brought to the right levels of attention, we'll take care of it.

For the record, Chairman Coutu said it was strictly the question posed was strictly a structural thing. No complaint about - I said that I qualified it by saying I may have sent out the wrong message out there and I want to clear the air once and for all and resolve it. I have had no personal complaints. Matter of fact nothing but plaudits from Lori about Lori and certainly no complaints about the structure except that some people felt they should be directly under the Board. I just wanted to have a health discussion.

Selectman Brucker wondered - I don't think that Mr. Yates makes any decisions that directly affect the seniors. It's Lori who's really running the program there. Chairman Coutu noted as it should be. Even though they fall under Recreation, Selectman Brucker said it seems to me they're pretty autonomous from the rest of the things that go on at the Recreation Department. Chairman Coutu said right because she's not involved. She doesn't come to the Recreation Committee meetings. I wouldn't expect her to either. She attends the Senior Affairs Committee meetings. She only gets paid for 29 ½ hours a week. If she spends 3 hours at meetings here; 3 hours at a meeting there, now here hours tending to the senior affairs is a lot less. I'd rather she not attend meetings and she only come to a meeting if we need her to be there. I would rather she devote more hours to the task that she's assigned which is running that center. We've also talked about the Senior Affairs Committee has talked about her having a run around to do errands. She had to run to Town Hall to make copies because she didn't have a copier or whatever. There are volunteers that can do that - come down and run mail down here or pick up mail. There are people that are willing to do that. I think they're starting to get their ducks in a row now. I'm good with it.

D. Disposition of Hills Memorial Library

Chairman Coutu noted that this was a Selectman Nadeau request and he's not here. We will defer that item. I would recommend that you read very carefully the information that was provided in your packet. I read it in detail except this document which why this was put in our packet was beyond me. Who can read black ink? I can't read black ink. Why this was even included or not done in a better fashion is beyond me. Apparently it's an old, old deed from the 18th Century.

Steve Malizia thought it was just in conjunction with the attorney's note. Just to know that there is a document that he looked at. Unfortunately it doesn't copy well.

Chairman Coutu said I'll remember what I read. I'm sure if Selectman Nadeau wishes to continue to have this conversation we can do so. Let's wait until trigger comes back.

E. School's request to change Deliberative Session dates

Chairman Coutu said I was at Old Home Days or Pumpkin Fest. I forget which and I met up with Patty Langlais Vice Chair of the School Board. I met with her and she said to me that there was a fundraiser relative to the Polar Plunge and it was going to be the day of their scheduled Deliberative Session. She mentioned in passing changing the date. It was kind of yeah, yeah and that was it. It was set aside and never formalized. I never brought it before the Board. I met with her again and asked her if she would formalize her request which she has. She's asking that we go first this year.

Steve Malizia said she's asking that we switch from - ours is currently scheduled for Saturday, February 7th. The school is asking if we could switch to Saturday, January 31st, and they would take the 7th.

Chairman Coutu told Ms. Langlais I didn't see a problem and then I was at the Budget Committee meeting last night with Mike Truesdell who was going to come here and speak for the School Committee and I said I don't think there's any need for you to be there. I think we can extend that courtesy. Is there an objection?

Selectman Nichols was just looking at the Penguin Plunge is going to be held on January 31st. So they would like to switch with us. They want us to go the 31st. That's what I wanted...Mr. Malizia indicated they were originally scheduled for the 31st. It's going to conflict with their activity. They would like to go to the 7th which we were going to go. So we're just going to switch. Selectman Nichols said all right we'll just switch. Okay. That's fine. Thank you.

Chairman Coutu asked if this was going to be an annual thing and she said no. They're not going to ask every year to do this. As a result last night, they tried to change the public hearing I believe and I stood my ground and said no. We've already given once. We're not giving twice.

Motion by Selectman Maddox, seconded by Selectman Nichols, to reschedule the 2015 Town Deliberative Session from Saturday, February 7, 2015, at 9 a.m. to Saturday, January 31, 2015, at 9 a.m. at the request of the Hudson School Board.

Selectman Maddox thought we should require picture of the School Board coming out of the Penguin Plunge.

Chairman Coutu expected every member of the School Committee to have that picture provided to us. Lenny I'm holding you to it. You have those people take a picture of themselves coming out of that water or that following Saturday we won't boycott, we will go in there and raise hell.

Vote: Motion carried 4-0.

F. Request to Post Position for Senior Accounting Clerk

Chairman Coutu recognized Finance Director Kathy Carpentier. Who did you get rid of this time?

Thank you for accepting this late entry to your agenda. Kathy Carpentier said I was informed yesterday my Senior Accounting Clerk who's been there a little over two years has accepted another job in the public sector. She's given three weeks notice but she's not here next week. I was hoping to expedite this by getting posted. It's my intention to internally post it as recommended by the contract and then externally post it in the local newspaper. I'm here to ask your permission to post.

Motion by Selectman Brucker, seconded by Selectman Nichols, to authorize the Finance Director to post and advertise the Senior Accounting Clerk position, carried 4-0.

Kathy Carpentier thanked the Board for your support.

Chairman Coutu asked if anyone had any comments they wished to make at this time.

Selectman Maddox noted that next week's meeting will cover the water question so we'll get that in our next week's packet. There was a Letter to the Editor about the water bill. So it will be in our next meeting. Chairman Coutu said we have no control over that building. We were...Selectman Maddox asked to wait until next week. Just so people know we haven't dropped the ball. It's coming. Chairman Coutu said we're on the same side of that question but I mean we don't handle that billing. It has nothing to do with us. We'll discuss it next week.

5. ADJOURNMENT

Motion to adjourn at 9:44 p.m. by Selectman Maddox, seconded by Selectman Nichols, carried 4-0.

Recorded by HCTV and transcribed by Donna Graham, Recorder.

HUDSON BOARD OF SELECTMEN

Roger E. Coutu, Chairman

Richard J. Maddox, Selectman

Nancy Brucker, Selectman

Pat Nichols, Selectman